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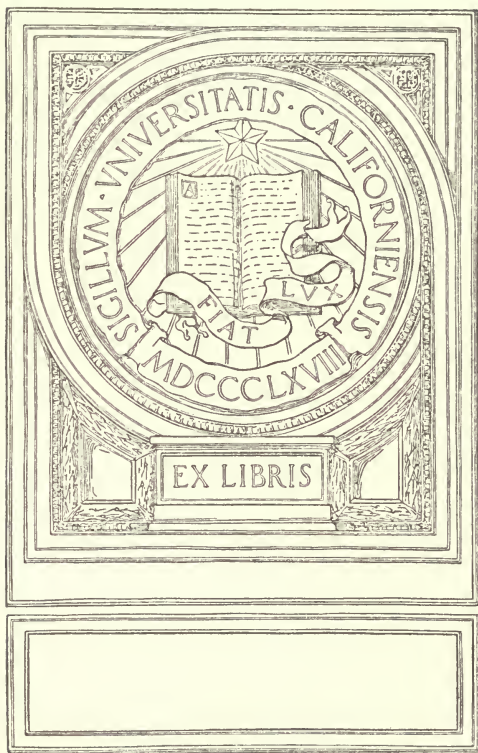
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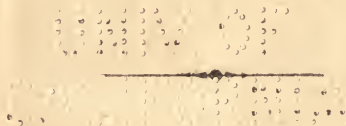
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HAZARD, T. R.

# CONSTITUTIONAL MANUAL

FOR THE

## National American Party.

IN WHICH IS EXAMINED THE QUESTION OF NEGRO SLAVERY IN CONNEXION WITH THE CONSTITUTION  
OF THE UNITED STATES.



BY A NORTHERN MAN, WITH AMERICAN PRINCIPLES.



PROVIDENCE:  
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1856.

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TO VIRI  
ASSOCIATION



## A CONSTITUTIONAL MANUAL.

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"If ye seek to shake off your allegiance to Rome, ye Germans, we will bring things to such a pass, that ye shall unshath the sword of extermination against each other, and perish in your own blood."—The Pope's Nuncio to the Germans.—D'AUBIGNE.

CAMBRIDGE HEAD QUARTERS, }  
 July 17th, 1775. }

GENERAL ORDER.—The General has great reason to be displeased with the negligence and inattention of the guard who have been placed as sentinels on the outposts—*men whose character he is not acquainted with*. He therefore orders that for the future, none but NATIVES OF THIS COUNTRY be placed on guard as sentinels on the outposts. This order to be considered a **STANDING ONE**, and the officers to pay obedience to it on their part.

(Signed) FOX, Adj. of the Day.  
 Countersigned Exeter, }  
 Pay-roll, Dorchester. }

Such was the order issued by the Father of his country in the days that "*tried men's souls*:"—and it was to be a **STANDING order!** *Do you hear that AMERICANS?*

IT WAS TO BE A **STANDING ORDER!** No hypocritical whining about the virtues of "*adopted citizens*" was heard from the lips of the whole sould WASHINGTON; it was enough that he *was not acquainted with the character of foreigners*, and he would not jeopard the cause of his country, by trusting it to their keeping.

Again see the *moral* that is embodied in this memorable *standing order* repeated by WASHINGTON in his farewell address. "*Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens,) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican Government.*"

And think you, *Americans*, if Washington could now be with us, his penetrating mind would not quickly comprehend the true CAUSE of the present distraction in the Union? Would

he, think you, be long in perceiving that the question of domestic slavery is but the **MEANS**, *not* the real CAUSE of our difficulties and our dangers? and would not his discriminating mind at once trace these to their source; and a glance of his eagle eye detect in it the hand of the foreign potentate who wields the sword whose "**HILT IS AT ROME AND ITS BLADE EVERYWHERE.**"

Yes, *Americans*, we should again hear his voice raised in solemn warning:—"Beware, *Americans*, of the insidious wiles of foreign influence I conjure you; your country is filled with the secret emissaries of foreign despots, the jesuit priesthood of Rome, the most '**BANEFUL FOES OF REPUBLICAN GOVERNMENT.**' They have seized upon the question of domestic slavery to sow your land with dissention, to array section against section, and are secretly plotting in every nook and corner of the Union '**TO ENFEEBLE THE SACRED TIES THAT NOW LINK TOGETHER THE VARIOUS PARTS,**' and unless speedily rebuked, will embroil you in civil strife and quench your liberties in fraternal blood.—**AROUSE yourselves, fellow countrymen, 'FROWN INDIGNANTLY' upon their wicked designs,** keep the most vigilant watch against their '*insidious wiles*' and '**place none but NATIVES OF THE COUNTRY ON GUARD!**"

And if that true friend of Washington,—of America and of the rights and liberties of all mankind, the great and good La Fayette could now behold the elements of strife that are at work in our country, he too would discern the true source of our troubles, and pointing to the thousands of foreign Jesuit emissaries that swarm in every portion of the States, again mournfully exclaim, "Yes, my fearful forebodings were indeed too prophetic of the truth, "**IF THE LIBERTIES OF AMERICA ARE EVER DESTROYED IT WILL BE BY ROMISH PRIESTS.**"

I yield to none in the detestation of slavery whether of the body or the mind; under every form, I abominate the brutalizing, man-destroying monster. To free my country from the curse of negro slavery I would gladly contribute the half of all the worlds goods I possess: nay more—I feel that if the responsibility was cast upon me,—to ensure such a result, I would sacrifice ALL that I possess.—I would trust an infant-orphaned family to the protection of Divine Providence, and relying in His goodness, now in the decline of life, go forth homeless and penniless into a world which nearly sixty years experience has taught me to know full well. All this I feel that I could do. But yet to accomplish such a result I would not consent to sacrifice the union of these states. At this price even the boon of negro freedom would be purchased at too dear a rate. Faulty and imperfect as our national institutions may be, let *them* be overwhelmed or destroyed, and the cause of Universal Freedom will be thrown back for centuries of years.

The bare thought of a dissolution of this Union, should never be permitted to rest in an American mind. It should be held a treasonable act to give it place there. Its momentary presence will work pollution. In the language of the immortal Washington, in that memorable and touching farewell address to his countrymen, already alluded to,—“As this is the point of our political fortress, against which the batteries of internal and external enemies will be most constantly and actively, though often *covertly and insidiously* directed, it is of infinite moment that every American should properly estimate the immense value of the National Union, to our collective and individual happiness:—he should cherish a cordial, habitual, and immoveable attachment to it; he should accustom himself to think and to speak of it as a palladium of our political safety and prosperity; he should watch for its preservation with jealous anxiety; he should discountenance whatever may suggest even a suspicion that it can in any event be abandoned, and *indignantly frown upon the first dawning* of every attempt to alienate any portion of his country from the rest, or to enfeeble the sacred ties that now link together the various parts.”

Who that reflects on the present distracted condition of our country can doubt that Washington was in a degree inspired when he thus poured out as it were all the affections and solicitude of his heart and soul in this memorable last warning to his countrymen. How tenderly, how earnestly does he beseech them to guard the privileges he had sacrificed the best portion of his life to secure to them. And will Americans turn a deaf ear to such an ap-

peal from such a source? will they indeed rather heed the traitorous counsels of Anti or Pro Slavery incendiaries or that of any other “internal or external enemy” of our Union, than to be guided by the last words of Washington? Woe! Woe! indeed, awaits our country when Americans shall have become so perverted, so blind to their duties and their interests as to be led by such men as these, however “*covertly and insidiously*” they may approach “the palladium of our political safety and prosperity.”

And yet, are we not threatened with this disgraceful fate? For one, I believe that nothing will preserve us from falling a prey to the snares that are spread in our midst by the emissaries of foreign potentates, but the formation of a great NATIONAL American party.—Its motto should be “*Our Union must be preserved,*” “Americans must rule America.” It should know no North,—no South,—no East,—no West.

If Americans were as patriotic now as they were in the early days of our republic, under present circumstances such a party would spring spontaneously into existence. They would *one and all arise in that strength which conscious virtue gives*, and instead of listening to the covert and insidious” appeals of traitors who are using the question of slavery as an engine to work our destruction, they would “indignantly frown upon the first dawning of any attempt to alienate any portion of our country or to enfeeble the SACRED ties which now link together the various parts,” *under any pretence whatever.*

And in spite of what Anti-Slavery or Pro Slavery demagogues—traitors or fanatics may say, such a party may be formed without the surrender of a single principle, whether moral, religious, civil or political. I hesitate not to say that a calm and dispassionate examination of the whole subject of negro slavery as it exists in these United States will convince any honest, truth-seeking American citizen of the truth of this. Startling as the assertion may seem, such will find that from the very commencement of the agitation of the question in congress, the course pursued by the North in relation to domestic slavery has been almost wholly wrong.

I say that our union may be preserved by the formation of such a party as I have named without the surrender of any principle, either moral—religious—civil or political. Negro slavery, the rock on which our union is to split—is not the only evil in the world, for we read that “the whole world lyeth in wickedness;” but yet, the better portion of mankind are not required by any law either human or divine to *run a muck* for its extermination. The Divine founder of our religion inculcated



no such doctrine as this. He distinctly taught that we should *not overcome evil with violence but with good.*

The moral sense of the North it is true is often shocked in contemplating instances of cruelty and oppression that originate from the hateful institution of negro slavery. In reading some of these as detailed by Miss Beecher in the Key to her work entitled Uncle Tom's log Cabin, I confess that occasionally a feeling much akin to "letting slip the dogs of war" arose within me; but upon reflection I was forced to confess that abuses equally great occur among us. In truth I would take it upon myself to collect an authentic narrative of outrages,—wrongs and cruelties equally numerous and atrocious in character as those detailed by Miss Beecher, out of the abuses that have occurred within the last thirty years in the asylums and poor houses of the little State of Rhode Island alone.

And I would further take it upon myself to exhibit a code of laws that was instituted, and until lately, practised upon, for the government of a community of *free white persons* in the same State, that will equal, if not surpass in enormity any code that was ever instituted by a Southern State for the government of negro slaves. I doubt not that in all the Northern States countless abuses of the same character might be collected by any person who would take the trouble to look for instances of wrongs inflicted on the poor and helpless in communities nearer home than Georgia or Louisiana.

Sound morality requires that reformation should begin at home, and true religion teaches that we must take first "the beam out of our own eye, before we seek to cast the mote out of our brother's eye."

Before and after our Union was formed, negro slavery was not limited to its Southern portion. Most of the Northern States were likewise cursed with the institution, and some of them (Rhode Island at least) had grown rich by importing from Africa into the Southern States the ancestors of the present race of negro slaves, and there disposing of them under the protection of the laws of the mother country, and in some instances in defiance of the earnest remonstrances against the practice, by our sister colonies. Great Britain at that day not only permitted the American colonists to keep slaves, but compelled them to receive them.

This was the state of things when on Sept. 4th, 1774, the Continental Congress first assembled, under what was called the revolutionary government. This congress, which was convened agreeably to a recommendation from Massachusetts—did not exercise any authority in behalf of the respective colonies—but rested

its sovereign authority on original powers derived from the people. Whatever these might be, the exigencies of the times did not admit of congress meddling with the question of negro slavery. Its members had enough to do to keep from being reduced to slavery themselves.

The draft of a new form of government entitled "Articles of Confederation and Perpetual union between the states," originating in Congress, was adopted by that body 15th of Nov. 1777, and a circular letter sent to the several states "requesting them respectively to authorize their delegates in congress to subscribe to the same in behalf of the States." Jealous however of their individual rights, the states were slow to act: but finally "in 1778 it was ratified by all the states except Delaware and Maryland and eventually by Delaware in 1779 and by Maryland the 1st of March, 1781, when the confederated government superseded the revolutionary government."

Under the "confederation" each state was to "retain every power, right and jurisdiction, not expressly delegated to congress." Most of the powers (if powers they may be called) delegated by the States to Congress required for their exercise the assent of *nine*, and others that of the *whole* thirteen states.

The Confederated like the Revolutionary government, grew out of the exigencies of the times and was only adapted to them. It was rather an alliance than a union and depended almost entirely upon the spontaneous patriotism of the states and people to give the least force to its decrees. Congress (says an eminent writer of the times,) "possessed no power to levy any tax, to enforce any law, to secure any right, to regulate any trade, or even the poor prerogative of commanding means to pay its own minister at a foreign court. They could contract debts, but they were without means to discharge them. They could pledge the public faith; but they were incapable of redeeming it. They could enter into treaties; but every State in the Union might disobey them with impunity. They could contract alliances; but could not command men and money to give them vigor. In short, all powers which did not execute themselves, were at the mercy of the States, and might be trampled upon by all with impunity."

Another leading writer says: "By this political compact the United States in Congress have exclusive power for the following purposes, without being able to execute one of them. They may make and conclude treaties; but can only recommend the observance of them. They may appoint ambassadors; but cannot defray even the expenses of their tables. They may borrow money in their own name, on the faith of the Union; but

cannot pay a dollar. They may coin money ; but cannot purchase an ounce of bullion.— They may make war, and determine what number of troops are necessary, but cannot raise a single soldier. In short, *they may declare every thing, but do nothing.*"

About the time that the Confederate Government went into operation, Virginia and New-York had made cessions of certain territories to the federal government,— and at later periods, Massachusetts, South Carolina, Connecticut and Georgia had followed their example. Among the powers delegated by the States to the confederation government, (" this shadow without the substance," as it was designated by Washington) was that of *disposing of the Western Territory*, in virtue of which authority, on the 13th of July, 1787, Congress passed an act or ordinance, (as Congressional acts were then termed,) "for the government of the territory N. West of the Ohio."

In this ordinance is contained what is designated "articles of compact between the original States, and the people and *States* in the said territory," and it is enacted that these shall "forever remain unalterable, unless by common consent." Whatever right a Congress of the *Confederation* might have had to conclude a compact in behalf both of the original States and the people of the national territory, it seems difficult to conceive by what authority it could compel States *not yet* in existence to become, or *be made* parties to such a compact.

In this compact it is agreed by Congress and the States *yet to be created*, (not less than three nor more than five,) that "there shall be neither slavery nor involuntary servitude in the said district, otherwise than in punishment of crimes whereof the parties shall have been duly convicted." It is also agreed between the contracting parties, viz. : between the old thirteen States and the *three or five States not yet in existence*, that "whenever any of the said States shall have sixty thousand *free* inhabitants therein, such State shall be admitted by its delegates into the Congress of the United States, on an *equal footing* with the original States *in all respects whatever* ; and shall be at liberty to form a permanent Constitution and State Government : *Provided* the Constitution and Government so to be formed, shall be Republican, and in conformity to the principles contained in these articles."

It seems hard to explain the seeming contradictions and incongruities contained in this act—but it is unnecessary to attempt to reconcile them, as the authority by which they were created ceased to exist before any of the new States that were said to have entered into the agreement were called into being.

"A list of cases (says a nervous writer, quoted by Story,) in which Congress has been forced or betrayed by the defects of the confederation, into violations of their chartered authorities, would not a little surprise those who have paid no attention to the subject." Speaking of the territories, and in reference to the ordinance of '87, the same writer says, "Congress has *assumed* the administration of this stock. They have begun to render it productive. Congress has undertaken to do more ; they have proceeded to form new States, to erect temporary governments, to appoint officers for them, and to prescribe the conditions on which new States shall be admitted into the confederacy. All this has been done without the least color of constitutional authority."

The presence of a common danger which had hitherto impelled the States to sustain in a degree the general government, being removed by a treaty of peace with Great Britain, the confederation began to crumble like a rope of sand, or rather "was apparently expiring from mere debility," when, after consultation with other States, and stimulated perhaps by an alarming insurrection in Massachusetts, the delegation in Congress from New-York, in accordance with the instructions from the legislature of that State, moved a resolution, recommending to the several States to take measures to revise and amend the Federal Constitution, so as to make it adequate "to the exigencies of the government and the protection of the Union." This resolution was passed, and on the 17th of September, 1787, delegates from twelve States assembled in Convention and adopted the plan of our present Constitution, and directed it to be communicated to Congress. Congress having received the report of the Convention, unanimously resolved, "that the said report, with the resolution and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates *chosen in each State by the people thereof*, in conformity with the resolves of the convention, made and provided in that case." Conventions were accordingly held in the twelve States, and the Constitution being ratified by eleven of them, and Presidential Electors, Senators and Representatives having been chosen in accordance with its provisions, Congress assembled under the new form of government on the 4th of March, 1789. A quorum however was not formed until the 6th of April, when it was found that GEORGE WASHINGTON,—"first in war, first in peace, and first in the hearts of his countrymen,"—was *unanimously* elected President of the United States of America. When, oh when, will the period again arrive in the history of our country, when the virtues of *one man*, and



the wisdom and patriotism of a *whole* people, will unite in producing such another result!

In November, 1789, the Constitution was ratified by the people of North Carolina, and in May, 1790, by those of Rhode Island, which completed the union of all the thirteen States.

Hitherto the shifting, unstable foundations of the general government of the Colonies and States, had been somewhat after the Persian's idea of the foundations of the world, which they used to allege reposed on the back of a great elephant, which in turn stood on the back of a huge tortoise, which again was sustained on the back of *chaos*, or something quite as indefinite. Thus the confederacy rested on the legislatures of the colonies or States *and* the revolutionary government,—which last mentioned, rested mainly upon *troubled times*.

Unlike either of these apologies for a government, the Constitutional government rests on the suffrages of the whole people, of all the States, as declared in their primary assemblies.

Whatever may be its fate, its framers certainly did not intend that it should, like its predecessor, "expire from mere debility." The powers conferred by the constitution on the Federal government are few indeed, and intended to operate in general rather as a *shield* than a *sword*, but then they are absolute as far as they go. They are carefully, nicely defined, but then ample powers are conferred to carry them into effect.

No one can study that remarkable production without feeling sensible that there were "*giants in those days*:"—giants in intellect—giants in political experience and sagacity—giants in public virtue. The men who framed the Constitution of the United States seemed to be well aware of what they were about. They had just escaped from the iron rule of a powerful, consolidated, and to *them and theirs*, despotic government. They did not mean to place the liberties of the people, or the respective sovereign rights of the States in jeopardy by instituting one of the same character on their own soil. On the other hand, the dear-bought experience of those great men of the Revolution, had taught them that there were many inconveniences and dangers to be apprehended from the other extreme. In the absence of a Federal government, with appropriate powers to conduct the leading national concerns, common alike to all of the sovereign States that composed the confederated Republic, many difficulties and dangers were rapidly accumulating. Among others, the necessity of some general law in relation to the levying of duties on imports had been discussed first in the legislature of Virginia, and subsequently in a convention held at Annapolis in

September, 1786, by five other States. Shay's rebellion also admonished the framers of the Constitution that there were dangers as well as inconveniences attending the absence of an effective Central Government. Thus, with *Charybdis* on the one hand, and *Scylla* on the other, the fathers of the Constitution sought to steer a middle course, and thus avoid casting the Ship of State on either danger. But like skilful and experienced pilots, the more imminent the peril, the more resolute and decided were they in their course, and the firmer they grasped the helm.

The Constitution is no milk and water concern. In its provisions, feeble and vacillating "may," but seldom appears; whilst bold and imperative "*shall*," avows its determination in every section, almost in every sentence.

The Constitution contains ample provision to enforce all the acts that can be enacted in accordance with itself,—*so long* as the members of the government it constitutes remain true to their oaths of office. In the discharge of their official duties it was never intended that they should be amenable to any other tribunal than that of the laws.

The Constitution provides that the President *shall* be voted for by Electors chosen by the people. But when once elected to that high station, it was never intended that he should be kept in leading strings by his Electors, or be held in any degree responsible to them for his public acts.

The same instrument provides that Senators shall be elected by the legislatures of the States; but it is not intended by the spirit of the Constitution that the authority or supervision of the legislature shall extend *farther* than the performance of this elective duty, any more than in the case of Electors of President.

The Constitution also provides that the members of the lower house of Congress shall be elected by "the *people* of the several States;" but when thus elected; these are no longer amenable to the people of the respective States for their acts, but to *the people of the United States*, whose servants they are.

The two houses of Congress and the President constitute in fact the Federal government. In these reside the whole legislative and executive power of the United States of America. During their term of office, every individual that compose these departments, from the moment they take the oath to support the Constitution, become members of a government of limited powers, but yet as complete in itself, and as independent of the respective States in the exercise of its powers, as is the Emperor of Russia. These are bound by their oaths of office to discharge

their official duties *solely* with a view to promote, not the local good of the *respective* States, but the "general welfare of the *United States*."

The Constitution contemplates that a Representative in Congress elected by the people of Massachusetts, shall consider himself no more responsible to his electors than he is to the people of Mississippi. In fact every member of Congress, whether Senator or Representative, is elected by the whole people of the *United States*. In choosing these, the legislature and people of the respective States exercise a power not their *own*, but one that is delegated to them by the whole people of the United States, as set forth in the form prescribed in the Constitution. When the electors of a State choose a representative of their own local legislature, they exercise a right belonging to the people of the States respectively; but should they at the same time cast their votes for the election of a member of Congress, they then exercise a right belonging to the people of the United States.

As used in the Constitution, the term "*The United States of America*" is not intended to be understood as a phrase, but as *one* word. It is not used to convey to the mind the idea of a confederacy of States, but of one nation. It is simply *one word* of many syllables.

The doctrine of "instruction" that has obtained permanence and ascendancy in many States of the Union, is heretical in its character, and calculated to confound and mystify the line of demarcation that divides Federal and State Rights, and which should ever be kept clear and well defined, for the safety of both. No individual or party influence, nor seeming case of expediency, should ever tempt either the Federal or State Governments to trespass over this line. Like wary navigators in charge of costly freights, both had better give a wider berth than is absolutely requisite to the dangerous reef, than risk collision by approaching it too near.

Whatever powers Congress under the confederation *may* have really possessed in regard to legislating for the territories of the Union, it is certain that they expired when that form of government was superseded by the present Constitution. The latter inherited nothing from its defunct predecessor. Its framers had no intention that it should. They had already experienced enough of the blessings of hereditary government, and hated its very name. All the powers possessed by Congress under that instrument, in relation to the territories or any other matter, as before said, are distinctly defined within itself. Congress neither possesses nor can derive power from any other source than that conferred on it by

the Constitution. Any thing contained in the ordinance of 1787, not consistent with the provisions of the Constitution, became null and void the moment the new government went into effect.

Accordingly we find Congress as early as August 7, 1789, engaged in passing an act entitled, "An act to provide for the government of the territory North West of the Ohio," the first clause of which reads thus:

"*Whereas*, in order that the ordinance of the United States in Congress assembled, for the government of the territory North West of the river Ohio, *may continue to have full effect*, it is requisite that certain provisions should be made, so as to adapt the same to the present Constitution of the United States, *Be it enacted*," &c.

Now unless the stream can rise higher than its source, Congress had no power to give validity to any of the enactments of this ordinance of '87, that it had not constitutional powers to enact itself. The confederated form of government was established by the legislatures of the individual States. Voting in Congress was by States, not by individual members. The constitutional form of government was instituted by the *people* of the States. It follows that if the Constitution confers no power on its Congress to prohibit domestic slavery in States *to be* admitted into the Union from the North West territory, that body could have had no rightful authority to perpetuate or give validity to any act to the same effect, that may have been passed under the confederation, even supposing that its Congress possessed competent powers to pass such an act. This makes a clean sweep of all the prospective congressional legislation that took place on the subject of negro slavery in the North West territory, *at least* so far as it is not in accordance with our present Constitution. All the sovereign rights that the States of this Union *ever* have possessed, are not and cannot be in the least impaired or diminished (without an amendment of the Constitution,) *excepting* so far as they have surrendered a portion of these to the Federal government for the "general welfare" of all the States—all the rights or powers thus conferred, being explicitly defined and determined in the articles of the Constitution.

That the right to retain or abolish the institution of slavery remained solely with the old thirteen States respectively at the period when the Constitution was formed, no one will question.

As before said, many of the Northern States were slave-holding States at the period of the adoption of the Constitution. Most or all of them soon abolished the institution: whether from principle or expediency it is unnecessary to



examine, as it will not be denied that all or any of these have the constitutional power to establish the same within their own borders at any time without hindrance or restraint from the federal government. No act of Congress could prevent this. Congress has no constitutional right to prevent it. Congress would have as good right to enact that the people of Rhode Island should not raise Indian corn, as that they should not keep negro slaves. What Congress has no right to dictate to Rhode Island, it has no right to dictate to any other State of this Union.

There are other public evils of even greater magnitude than negro slavery, that no branch of the Federal government has any right to interpose its authority to prevent, in the weakest State or territory of this Union. Among these are : religious liberty, freedom of speech and of the press.

In spite of Congress, the people of the State of Massachusetts may go back if they please to the days when their Endicotts, and Winthrops, administered colonial laws for drowning witches and hanging Quakers ;— whilst those of Maryland, might with equal impunity re-enact the boasted code, given to them by that great apostle of *religious liberty*, Lord Baltimore, by which Universalists and Unitarians were to be punished with death.— Now, whilst but a *bare* majority of the States of the Union have abolished by law the institution of Negro Slavery, all but *one* have inserted provisions in their Constitutions, asserting, and establishing the inalienable rights of conscience, and perfect religious freedom. But notwithstanding the almost entire unanimity accorded by the respective States on this momentous question, the legislature of Louisiana may proceed at any time to enact laws for the imprisonment of Bible readers, as is now done in Italy, or to torture and burn the same class of heretics, as was formerly done in every Catholic country where the successor of the fisherman held sway. Startling as it may seem to some, Congress, nor any branch of the Federal government, has any authority to interfere with this sovereign right of a State of this Union, as the Pope's emissaries were no doubt well aware of, through whose influence, religious liberty was left an open question in the Constitution of Louisiana, to be more accurately defined when Popery became more positively dominant within the borders of that State, than it was when that instrument was ratified.

Over the District of Columbia, and "all places purchased by the consent of the legislatures of the States, in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other *needful* buildings," the Constitution clearly empowers Con-

gress "to exercise legislation in all cases whatsoever," with the exception that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and to petition the government for a redress of grievances." That through executive usurpation and despotism, the freedom of speech, and of the press, is not only abridged, but almost annihilated, in many of these "*places*," is notorious; but Congress has no powers to legislate at all on these questions, for any State, district, territory, or place, in this Union, under any circumstances whatever.

But in the District of Columbia, and in all those "*places*" ceded to the General government, Congress may either establish, or abolish, the institution of negro slavery, as circumstances and expediency may dictate.— Congress *may*, if it pleases, within the *letter* of the Constitution, enact that none but negro slaves shall be employed on the public works in Charlestown, in Massachusetts; and Congress may on the other hand forbid the employment of Slave labor on those at Charleston, in South Carolina. All this Congress may do should it see fit to outrage public opinion, by adhering to the *letter* of the Constitution, irrespective of its spirit.

Over the District of Columbia, and "all places" purchased by the General government, for the public purposes designated in the Constitution, that instrument constitutes Congress the sole law-making power. Over all these Congress "exercises exclusive legislation, in all cases whatsoever."

Now mark the difference between the language here used, and that employed by the same men, when they came to define the powers it is meant to confer on Congress, in relation to the territory belonging to the United States, but not appropriated to national purposes.

"The Congress shall have power to dispose of and make all *needful* rules and regulations respecting the *territory* or other *property* belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any *claims* of the United States, or of any particular State."

But the manifest difference of the wording here used, in contradistinction to that adopted in the first mentioned clause of the Constitution, is not greater than is the nature of the powers intended to be conferred. The one clause of the Constitution relates solely to *jurisdiction*, the other solely to *property*. In one instance, Congress is empowered to govern people, in the other Congress is merely authorized to *hold* and to *sell*, or "dispose"



of *property*. In the one instance, Congress is "to exercise exclusive legislation in all cases whatsoever" over certain "districts and places"; in the other, Congress is to make all "needful rules and regulations" necessary to enable it to *dispose* of the "*territory or other property* belonging to the United States."

This clause of the Constitution does not, nor was it ever meant, to constitute Congress the legislature of the territories alluded to; neither does it confer on that body any power to make any law, rule, or regulation, that is not "*needful*," to enable it to protect, and dispose, of the public property.

If the framers of this clause of the Constitution had not been treating "*territory*" solely as "*property*," the word "*other*" would not have been used to connect the two nouns. The use of that adjective, proves conclusively that the character of the two articles is the same. Otherwise, the expression would be as absurd as if it had been said,—Congress shall have power to regulate *territories or other CATTLE*; or that Congress shall have power to regulate *property or other territory*.

Whilst the Constitution clearly and emphatically provides for the government of the district and "places" set apart for the uses of the Federal government, it would seem that either designedly, or through inadvertance, no provision is made in that instrument for the exercise of either legislative or judicial authority over the *people* inhabiting the "*territories of the United States*." Neither is there any authority conferred on the President, or Senate, to appoint a Governor, or either officer, over the same, unless it can be shown that the appointment of such an officer is "*needful*" for the protection of the public property, and the enforcing of such "*needful* rules and regulations," as Congress may make for the disposal of the same. As chief executive officer and commander-in-chief, of the military and naval forces of the United States, the President *may*, in either emergency, *constitutionally* subject a "*territory of the United States*" to martial law, but no authority, either by *letter, spirit, or implication*, can be adduced from the Constitution, for the appointment of a permanent governor over the people of the same, either by the President or either house of Congress.

It is true that the Constitution does not prohibit the President, with the advice of the Senate, from appointing a governor over the people of a territory of the United States; nor does it prohibit him from appointing a governor over the people of a State; but neither is any such power conferred on the President, in the one case more than in the other. Because no

provision is made in the Constitution, for the exercise of any civil authority in the territories,—it does not follow that *necessity* "the plea of Tyrants," justifies any such assumption by either branch of the Federal government,—for the Constitution expressly declares, that

"The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the *people*." And again—"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the *people*."

There is no distinction here made between the people of the territories, and those of the States; they are in both cases, alike left to institute their own governments, and to execute their own laws; with the exception that the judicial authorities of the Federal government is not recognised in the Constitution as claiming jurisdiction over the people of the territories in *any event*, whatever.

It would seem that the people of the territories, equally with those of the States, are presumed by the Constitution to be endowed by their Creator (as the signers of '76 supposed our forefathers to be) with certain "*inalienable rights*," which neither the *States*, nor the *United States*, has any just authority to deprive them of; among which is the right to institute their own government, "in such form, as to them shall seem most likely to effect their safety and happiness."

Whilst a *territory* is the property of the United States, Congress has the Constitutional right, no doubt, to defend it from invasion, or depredation, if needs be, by employing the military and naval force of the whole nation; but when Congress has transferred the fee of the same, to other parties, it has no farther jurisdiction over it or its occupants. These purchasers of the territory have then a right to institute such a form of government as they suppose will best promote "their safety and happiness;" and it is only in the event that these *do* apply and are admitted into this Union as a State, that the Constitution confers on the General government any right to interfere or exercise any control over their concerns.

It is true, that it becomes the duty of the Federal government, to restrain and prevent any invasion of such a territory; similar to that now attempted by citizens of Missouri in Kansas, the same as it is the duty of the government to restrain the bands of desperadoes that are occasionally organizing in this country, for the purpose of invading and making war on the government of Cuba,—of Nicaragua, or that of any other foreign country.

But admitting that the Ordinance and compact of 1787, as passed by the Congress of the Confederated and ratified by that of the

Constitutional government does possess the binding force of Constitutional law on all the parties *declared* by the act of Congress to be concerned, viz: the States respectively forming the Union,—the people of the North Western territories,—and the new States *not yet*, but to be established in them; the provisions of that Ordinance do not apply to the territories since acquired by the United States! There is nothing in the Constitution that authorizes the acquisition of new territory, by the General government! “*New States* may be admitted by the Congress,” but no where do we find, that, *New Territory* “may be admitted or acquired.” It does not seem that the framers of the Constitution, ever contemplated or provided for such an event. At the period the Constitution was made, and finally ratified and adopted, after the most stormy opposition and rancorous debates, both in the National and State conventions, the leading minds of the country were exceedingly fearful that the formation of a National government for the States then existing would not be accomplished—and the framers of the Constitution in the then exhausted and feeble condition of the country, seemed to have little thought of adding to the public domain by purchase—much less by conquest.

But giving to this clause of the Constitution even the most latitudinarian sense contended for by any, and then the true meaning of the word “*needful*” limits the power of Congress not only in making rules and regulations, but in enacting laws for the territories. If the term be viewed abstractedly, to be defined by the arbitrary will of Congress, an interpretation *may* be given it, that will suppose all laws relating to the territories “*needful*” that the majority of Congress may deem *expedient*. If northern influences should predominate in that body, at one period, it might be deemed expedient and needful to make a “rule, or regulation,” (for these are not dignified in the Constitution by the name of *laws*.) forbidding the institution of slavery in the territories, whilst at another period, through a predominance of southern influences in Congress, it might be voted that it was *expedient* and *needful* that the people of the territories should be compelled by the General government to adopt the institution of negro slavery.

But if the word “*needful*” be interpreted in unison with the spirit of the Constitution and with the spirit of the State institutions, the Constitution is intended to shield and protect, then Congress should not make any “rule or regulation” in any territory of the United States, with intent to promote the introduction of any peculiar state or sectional institution, or the hindrance or exclusion of those of any other State, or section of the Union, presuming

these to be alike Constitutional. It cannot be shown that any such “rule or regulation” would be “*needful*.”

It is true the sovereign State of Massachusetts, might assert on the floor of Congress that it is “*needful*” that the Georgia planter should not introduce his slaves into any territory belonging to the United States north of 36 deg. 30 min.

The sovereign state of Georgia might also assert with equal *Constitutional* propriety that it is “*needful*” that the Massachusetts farmer should not introduce the raising of Indian corn into the territory, south of the same line.

It might be argued pro and con with equal propriety, that the introduction of the one would tend to promote the ascendancy of what are called southern institutions, in the territory, and that those peculiar to the North, would be fostered by the introduction of the other.

Abhorrent as the sentiment appears to the northern mind, as before stated, the Constitution of the United States regards both these questions as standing on the same foundation. No right to interfere in relation to either has been conferred on the General government.

If the territory of Kansas or any one of those lying farther North & West in which the principle of the Missouri compromise is still in force were to apply for admission into the Union to-morrow, Congress has only the same right to compel the citizens of the new State to agree not to keep negro slaves, that it has to compel them not to raise Indian corn. If it has then we have *practically* two National Constitutions, the one applying to the old, and the other to the new States of the Union. This no one will admit. Every State of this Union is equally sovereign, and bear the *precise* relation to the general Government, and to each other respectively, whether they came into the Union in 1787, or in the year 1855.

But supposing that Congress really has the right, and should enact that the people of Kansas, or of any other territory applying for admission, should not permit the institution of slavery in the new State; what an anomalous species of legislation it would be!—For argument’s sake we may grant that during the discussion of the bill whilst the *territory* is in a *transition state* (as it were) Congress *may* have the Constitutional right to dictate as a *needful* regulation that slavery shall not be permitted to exist within its borders. But when the law is enacted, when the territory has passed by act of Congress into a sovereign state, by what authority can it enforce the fulfilment of any such rule? The moment the President’s signature is attached to the act, the *territory* springs at once into a *sovereign* State, invested with all the rights and powers of the *old*



*thirteen*, and as independent of Congress and the Federal government, in regard to the question of negro slavery, as is the kingdom of Great Britain. What an anomalous species of legislation! what children's play, for Congress thus to enact a law, which neither it, or any branch of the Federal government has any right, or authority, to enforce.

I repeat that if Congress has the constitutional right to dictate to a new State *one* clause of its Constitution, it has as good right to dictate *two, five, ten*, or the whole. It would thus have the power of controlling through their respective fundamental codes, the domestic concerns of every new State admitted into the Union. Starting at the point of time when the constitutional government commenced, Congress would thus have been clothed with competent powers by that instrument to consolidate (practically) under one central government, every foot of this Union, with the exception of the old thirteen States. With this right conceded, all else required of the Federal government by the Constitution, is, that the outside form of the State governments shall be republican; *nothing more*:—substantially they would be mere provinces, or departments, of a consolidated republic, the sovereign powers of which would be concentrated in Washington. How preposterous to suppose that such was the intention of the far-seeing men who framed the Constitution—men who for seven long weary years had been expending their treasure and their blood to free their country from despotic rule, and rid it of a list of crying grievances, the very first of which, as enumerated in the declaration, they had pledged “their lives, their fortunes and their sacred honors,” to maintain, they were now about conferring the power on the Federal government to inflict anew.

If this was their intention, what a sudden change must have come over their spirits and the spirits of the people who ratified their doings. Hitherto so jealous had been the same people of consolidated power, so tenacious had they been of the individual rights of the colonies and the States, that both the “Revolutionary government originating from the one, and the Confederation instituted by the other, possessed scarcely a semblance of sovereign power, but depended almost wholly on the voluntary accord and action of the people and States, to give their decrees or rather *declarations*, the least practical force. And now if the case supposed is true, we behold these same men placing a power in the hands of Congress that would enable them to compel every new State admitted into the Union to become a vassal of the General government.

And how is it alleged that this enormous power is conferred on Congress? “New States

may be admitted by the Congress into this Union.” This little sentence contains it all.

That's the Trojan horse from the entrails of which this power has emanated. *Congress may admit new States*:—and what is a State? a State in the sense the term was meant by the framers of the Constitution to imply. Certainly not a State organized after the fashion of an Italian, a German, or any other foreign State? but an American State! Precisely such a thing as one of the *old thirteen*; neither more, nor less! Clothed with every sovereign power that each and all individually possess, in *every respect*, and bearing in *every respect* the same relation to the Federal government.

This was such a State as the framers of the Constitution meant to create. Congress has no right to admit and other. No other could in reality become a member of this Union.—If deprived of the *least* sovereign right possessed by its sister States, it could not come in as an equal. It would not be equal. The attempt of Congress to dictate a Constitution or any clause contained in it, to any State applying for admission into this Union, farther than to make it compatible with the provisions of the Constitution of the United States, is an act of sheer usurpation, and should be so regarded by every American patriot.

Every new State that is admitted into this Union, is obligated by the *simple act* of admission to conform in *every respect* to the requirements of the Constitution of the United States. To be convinced of the truth of this we need only to turn to an act of Congress and observe the form of such admission. Take that for instance by which Vermont became a State of this Union, approved February 18th, 1791.

*“An act for the admission of the State of Vermont into this Union—*

The State of Vermont having petitioned Congress to be admitted a member of the United States, *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, and it is hereby enacted and declared*, that on the fourth day of March, One Thousand Seven Hundred Ninety One, the said State, by the name and style of ‘The State of Vermont’ shall be received and admitted into this Union, as a new and entire member of the United States of America.”

What admirable simplicity! Here we behold a new State admitted to take her place in this Union “as a new and *entire member*” by virtue of an act that scarce exceeds in length the ticket which entitles a passenger to enter a railroad car. But the act was lengthily enough! And why? Because the State of Vermont did not look to Congress to learn

what were either her obligations or her rights as a member of the Union, but to the Constitution of the United States of America.

The Constitution imposes negative as well as positive duties on Congress, and if a new State applying for admission into the Union, should even offer to surrender any of the sovereign powers retained by the old Thirteen, Congress would have no more right to accept of such a surrender than it would to compel it. The one would be an assumption of power scarcely less dangerous to the rights and liberties of the people and the States, than the other: for frequently what undisguised force cannot compel, intrigue and artifice may induce.

Strictly speaking it is unnecessary that Congress should know what the Constitution of any proposed State contains. No member or officer of the Federal government obligates himself to maintain the Constitution of any particular State, when he takes his oath of office; whilst every member of the respective State legislatures, and all State executive and judicial officers are obligated by their oath or affirmation of office to support the Constitution of the United States.

Every new State coming into this Union is bound to observe and to obey the requirements of the Constitution of "the United States of America," whatever may be the character of its own fundamental law, and however repugnant may be any of its provisions to the laws of the United States. The Federal government has the right, and is clothed with power to compel the *overt* action of a State, whatever its Constitutional laws may be, to conform in every respect to the Constitutional laws of the the United States. It has the right and means, to exact this, and it has no right to require more.

When the State of Missouri came into the Union, the Constitution that had been framed by its citizens, contained a clause, prohibiting the immigration of free people of colour into that State. This caused a long and angry debate in Congress, which was finally brought to a close by the adoption of a compromise resolution, introduced by Mr. Clay, simply enacting that the authorities of the State of Missouri, by *solemn act*, should declare that if there was any thing contained in their State Constitution incompatible with the Constitution of the United States, it should not be enforced. As a precautionary, conciliatory measure, it was wise in Congress thus to anticipate, and disarm, by peaceable legislation, what might otherwise require force to remove. But such legislation was not strictly necessary. A decision of the Supreme Court would have been equally obligatory on the State of Missouri as its own *act*.

Congress has no more right to compel a State applying for admission into the Union, to surrender any sovereign right of an independent State, not among those enumerated as being surrendered by the States to the Federal Government in the Constitution, than a State has the right to demand admission into the Union, and retain any one that is. Congress would have had no more right to have required of the State of Louisiana, when it applied for admission into the Union, that its citizens should first insert a clause in its Constitution, prohibiting the institution of Slavery, than Louisiana would have had to demand to be admitted, with a clause in the same instrument, denying the right of Congress to levy duties on foreign goods imported into New Orleans.

If there is power deposited any where, (except by amendment of the Constitution) competent to deprive any State applying for admission into this Union, of any of the sovereign rights possessed by the old thirteen, it resides with the States respectively, or with the people of the States, for it is clearly defined in the Constitution, that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

From whence then does Congress derive its power to deprive either a State or the people, of any civil, political, or chartered right, not enumerated in the Constitution? Who conferred such a right upon that body? Do we find it among those "delegated to the United States, in the Constitution?" Do we find it among such as are "prohibited by it to the States?"—Clearly not! Can it be extorted by implication from that part of the Constitution, that confers on Congress the right "To make all laws which shall be *necessary and proper* for carrying into execution all powers vested by the Constitution in the government of the United States, or in any department or office thereof." Is there a wily casuist in all the Jesuit colleges that curse the earth, who can extract such a power by inference from this clause? St. Liguori, though he might distil poison from the sermon on the mount, and extract divine authority, for the commission of the greatest crimes, from every page of the New Testament, would himself turn from such an attempt in despair!

Can such a power be drawn by implication from the mode of expression adopted in the clause in the Constitution before referred to, conferring on Congress the power of admitting new States? Because "new States *may* be admitted by Congress," does it follow that Congress "*may*" require the people of them,



to surrender to the Federal government, sovereign rights not delegated to the Federal government in the Constitution or prohibited by it to the States? Did the fathers of this republic of sovereign States, indeed mean to institute a union composed of a medley of this character? did they mean to place a power in the hands of the Federal government that would thus enable them to degrade, to humiliate any portion of the people of this country? that would put it in the power of a delegate from one of the old thirteen States to rise in his seat on the floor of Congress, and remind a fellow member that he came not there as his peer,—that he was not his equal;—that he was the representative of the people of a State, who had purchased its admission into the Union by the surrender of a part of the sovereign rights that belonged to it, and which were retained by the people of the State which he *himself* represented? That in fact he came not there as an untrammelled representative chosen by the people of a sovereign State of the Union — but as the vassal delegate of a fief of the Federal government! Can any one suppose that such was the intention of the framers of the Constitution or of the people who ratified it?

The word "may" may have been used because the framers of the articles of the Constitution, did not intend by the adoption of a more emphatic or affirmative mode of expression, to encourage the people of a new State, to come thundering at the doors of Congress, with a positive demand for admission. The fathers of the Constitution, were sensible and well bred men, and the word used was just the one such would be apt to adopt under the circumstances.

Besides this, the Constitution permits the receiving of foreign States into the Union (as in the instance of Texas) provided they conform to its requisitions, and it would have been highly injudicious, and impolitic, to have compelled the admission of such in all cases merely because they *did* comply with the terms laid down in the Constitution. The whole of the twenty *odd* provinces of Mexico, might for instance, respectively apply for admission into this Union. They might all comply with the provisions of our National Constitution; and yet whilst each of them retained on their statute books, laws prohibiting the free exercise of religion, it might be highly impolitic, and inexpedient, to admit them as States of the Union, to say nothing of the inconvenience that might be experienced in Congress, *assembled*, by the admission into its halls of an hundred or more half breed Indian members, each with an interpreter at his elbow, to duplicate speeches of which one edition would probably be esteemed quite sufficient. The body, to which power is delegated to admit new States into

this Union, should certainly be clothed with discretionary authority to meet such cases as these.

We hear much about the *Missouri Compromise*, much about the solemnity with which it was ratified; and how base and dishonorable the South has behaved, in regard to its repeal. That its repeal was injudicious and inexpedient, I will readily grant. Further, I feel that the name of Douglass, the Northern demagogue, the tool of the Jesuit priesthood, (though perhaps unwittingly,) should go down to posterity allied with those of Arnold and Burr, for the prominent part he took in its repeal. I grant that the moral effect of the Missouri Compromise was good, eminently good; but that it had any binding legal force, farther than what the voluntary acquiescence of the people gave it, cannot be maintained. It was simply a legislative act, to make the most of it, which, if Congress was competent to pass, it certainly had as good a right to repeal.

I say we hear much of the solemnities attending the passage of the act. So we do of the solemn *rigmarole* accompanying the edicts of the Emperor of China. These neither add to nor diminish the force of the law. It was enacted at a period when it is probable the Western boundary of Missouri reached as far into the wilderness as any part. Inator in the decree supposed this Union of States ever would extend, and before the immense new additional territory had been purchased, and plundered, from our weaker neighbors by the cupidity and violence of both Northern and Southern influences. The generation that then lived have passed away, and their successors are neither legally or politically bound to sustain the law under existing circumstances.

We of the North resisted not the acquisition of Louisiana, and are equally guilty with the South in assisting to plunder our sister Republic of an immense territory;—and although it is characteristic, and natural, still it ill becomes us to fall out with our brother *thieves* in relation to the division of the plunder.

If we meant to be honest in our endeavors to stay the extension of negro slavery, we should have resisted the acquisition of territory by the Union as strenuously as we are now contending for its sectional possession, and success would then most probably have crowned our efforts. But we were too much blinded by covetousness to discern the scorpion that lay concealed in the tempting fruit; we grasped it, reckless of the future, and we must abide the consequences.

However sinful negro slavery may be, how-



ever hateful in our eyes, however much we of the North may desire the overthrow of the institution, — the Constitution places no weapons in our hands to assist us in accomplishing its destruction. The framers of that instrument never intended to do any such thing. They probably supposed that the institution would in no great period of time *die out*, (as it were) and become extinct in North America. Events in the early history of our republic seemed to indicate such a result :— commencing at the North, State followed State in letting the captive go free. Already was *Mason and Dixon's* line reached in the emulating race.—Already were the great States of Virginia and Kentucky, (the very strongholds of slavery,) preparing to follow suit, sure to be simultaneously imitated by Delaware and Maryland; when in an evil hour *foreign* fanatics with more zeal than brains, found their way to our shores, and aided in their insane mission by too many Americans, sought to hasten the action of the people of the slave holding states by heaping insult and abuse on their heads. The natural consequences followed. Men whose sires did not quail before the armies of Britain, were not to be driven by the taunts of such incendiaries, even in the direction of their own *bent*. From that time State emancipation of the slave has ceased. Day by day the breach between the South and the North has been gradually widening, until now it has reached a stage that seriously threatens the dissolution of the Union.—From this fate it is my solemn conviction that nothing will save us, but the formation of an American party, based on principles so national in their character as to enable it to spread itself over and embrace the whole Union. It should have but two planks in its platform, viz.

*Americans MUST rule America.*

*Our Union MUST be preserved.*

I believe the first of these is entirely essential to the existence of the last.

As before remarked, the prescience of Washington enabled him to foresee, that the greatest dangers that awaited the institutions of the people, he sacrificed so much to establish, would emanate from *two sources*, viz. *foreign influence* and *sectional divisions*. In his last address to his countrymen, he dwelt on these two points with even *beseching* earnestness. "Against the wiles (says he) of foreign influence, I *conjure* you to believe me fellow citizens, the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government."

Where do we find a parallel for language like this in all the various communications and addresses of Washington? On this momentous subject big with the future fate of America,

when appealing for the last time to his fellow countrymen, his spirit seemed as it were melted within him, and breathed forth in words of affectionate solicitude and parental tenderness. He whose word was never doubted, even stoops to plead like one of little account, that he may more forcibly impress on the minds of his people the momentous dangers he sees in the future awaiting them from the exercise of *foreign influence*. "I CONJURE YOU (says he) to believe me fellow citizens." Who can resist such an appeal as this? What American can turn a deaf ear to such a warning from such a source?

Scarcely less eloquent is his language when interceding with his countrymen to maintain inviolable the union of the States. "The unity of government (says he) which constitutes you one government is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity of that very liberty which you so highly prize. But as it is easy to foresee, that from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment that you should properly estimate the IMMENSE VALUE of your national union to your collective and individual happiness; that you should cherish a cordial, habitual and immovable attachment to it; accustoming yourself to think and to speak of it as a palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing WHATEVER MAY SUGGEST EVEN A SUSPICION that it can in any event be abandoned; AND INDIGNANTLY FROWNING UPON THE FIRST DAWNING OF EVERY ATTEMPT TO ALIENATE ANY PORTION OF OUR COUNTRY FROM THE REST, OR TO enfeeble THE SACRED TIES WHICH NOW LINK TOGETHER THE VARIOUS PARTS."

Here is a lecture on the VALUE OF THE UNION, from a source worth listening to, and worth *hearing* too; one that contains more sound sense, more real virtue, more true patriotism, than all the lectures that were ever delivered by Anti and Proslavery demagogues and fanatics on both sides of Mason and Dixon's line. Will Americans indeed regard such an appeal from Washington, or will they take counsel of traitors, who are "COVERTLY AND INSIDIOUSLY directing their batteries against the PALLADIUM of their POLITICAL SAFETY."

The operation of either of the causes refer-

red to, presented itself to the clear, strong and deeply experienced mind of Washington, as being sufficient of itself to work destruction to the country. What then must be our critical position now that it is assailed by both at once and in their very worst form?

That both temporal and *spiritual* European despots have systematically conspired and leagued together to overthrow the government and institutions of the United States, I think that there can be no doubt left in the mind of any disinterested man of sense who will properly investigate the subject. That hundreds, and even thousands of the secret order of monks called Jesuits, have been dispatched to this country to produce by their "*insidious artifices*," that result is equally certain. That these have planted themselves either openly or *insidiously* (in disguise) in every part of this Union is also true; and that through the Confessional of the Romish Church these have the means of obtaining a more thorough knowledge of the secret springs of action, that operate in both political and social life, than any other class of men in the States must be felt by all thinking men.

Who then can estimate the immense influences such a body of shrewd, educated, experienced and utterly unprincipled and unscrupulous men, may exert for evil on the institutions of our country, especially when we consider that they are regularly organized, and thoroughly disciplined, under the positive and absolute direction of one head.

What the men composing the secret "*Society of Jesus*" are capable of accomplishing; what they have attempted; and what they have performed; let the history of Europe for the last three centuries inform us. When last in this country, that friend of Washington and of mankind, La Fayette, on more than one occasion seriously warned Americans against the machinations of the Jesuit priests of Rome;—no man knew them better than he. During his sojourn here, La Fayette reiterated his warning (which has become a motto) to Mr. Van Pelt of New York, and added that "*the Jesuit Priests were THE MOST crafty, dangerous enemies to civil and religious liberty. They have instigated most of the wars in Europe.*"

Again the same sentiment was substantially repeated by La Fayette at a dinner party, in the presence of Mr. Charles Palmer of Richmond, Virginia; "*These Romish priests* (said he) *are dangerous men, and will destroy the liberties of America if they can.*" But it is unnecessary to rehearse testimony regarding the character of the Jesuits. There is not a country on earth in which they have not at some time or other planted themselves; scarcely one in which they have not sown dissension

and civil war; and *hardly* one from which they have not been expelled, for their abominable crimes. The editor of the *La Siecle* a Roman Catholic paper published in Paris, thus closes some remarks addressed to the Jesuits now in France. "Your name (says the *La Siecle*) is not religion, for religion is peace in the State, whilst wherever you set your feet we find nothing but discord. No *power*, no *people*, has been able to live within the reach of your breath, without being poisoned and vomiting you back."

Such is the character of the men, (as proclaimed by their own co-religionists) that the despots of Europe have foisted in our midst, to sow discord among the people and the States, and to accomplish the destruction of our Union. And will Americans indeed continue to slumber when such a foe is actively at work among us? will they disregard the warning of Washington;—of La Fayette;—and of the bitter experience of the world?

The thousands of devoted spies which these foes of liberty have insinuated into every nook and corner, nay into almost every family in our land, has enabled them to discover each point where our institutions are vulnerable. They know *too* precisely their own strength. They can count it at the polls almost as exactly before as after an election. They can estimate almost to a fraction when and where they hold the balance of power between the sectional and other factions that they themselves by craft and artifice know so well how to "covertly" create. They know the character of the leading politicians of all parties. They know who to ally themselves with.—They know that from the circumstance that the democratic party has been almost uniformly in power in the general government, that a vast number of men attached to that party have grown up by profession, office seekers and office holders. These are the men for the Jesuits. These are the men whose "*poverty if not their wills*" will consent to any compliances, men to the existence of whom the emoluments of office are almost as necessary as is the air they breathe. And *office* and *public money* the tempter in the form of a Jesuit Bishop, will consent that these men shall have on condition that a creature and instrument of their own shall be installed Chief Executive officer and *Commander in chief of the Army and Navy of the United States*. The bargain to accomplish this result is already struck! The Presidential campaign is already organized and commenced by the Jesuit priesthood and their allies, the *old line democrats*. The former wait but the moment when victory declares for them, to precipitate the civil war upon us, that they have been for years secretly fomenting.



Would it not be well for the zealous opponents of negro slavery at the North, to pause a moment and examine to what point their labors are tending? Have these so far improved in the least the condition of the slave? Does his manacles hang more loosely upon him? or is the prospect of his freedom brought nearer to view, than it was a quarter of a century ago? On the contrary, is it not evident that the interference of the North, *so far*, has tended greatly to increase the hardships of the slave, and to cause his fetters to be more firmly rivetted? Is it not clear that the effect of such ill-timed and officious meddling, has been to stay the public measures that were in progress for the emancipation of the blacks in the three great States of Virginia, North Carolina, and Kentucky? to palsify the efforts of the more liberal and philanthropic class of citizens in those States? and to wrest political power from their hands, and to place it with those of an opposite character? to take power in fact from the friends of the slave, and to confirm it in the keeping of his oppressors?

When faction runs high in a State, it has frequently been the policy of unprincipled rulers, to provoke an attack from abroad, that the opposing parties may be forced by the presence of a common enemy, to forego their internal strife, and unite for defence against the external foe. Thus, has not the effect of *external* interference in the question of slavery, been, to unite all parties at the South, and to compel them to regard the institution no longer as one of mere expediency, but of political right?

Like the man in the fable, who under the mild influence of Phœbus, was gradually loosening the folds of his cloak, and preparing to cast it from him, but which he again grasped firmly about him, when the fierce blasts of Boreas sought by violence to hasten its fall, so was the institution of slavery gradually loosening its hold on the people of the South, until the ill-judged interference of the North incited them to fasten it anew.

Is there any thing in the present aspect of affairs that leads us to suppose that the South will back out of the position that they occupy, unless it can be clearly demonstrated that they stand on unconstitutional ground? Do we believe that fifteen States of this Union, and those the largest in territory, inhabited by a high spirited and resolute race of men, will stop to calculate their physical strength, or the probabilities of the event of a conflict with the North, when they really believe that their honor, and their political and social rights are at stake?

Did their fathers before them, when menaced by the serried legions of Britain, stop to estimate the consequence? Do we not instinctively feel that as Americans, danger and death, even to extermination, can have no terrors for such men, when the freedom their ancestors assisted to win, and the rights they mutually pledged themselves to each other to maintain with their "lives, their fortunes, and their sacred honor," are believed to be in peril?

Should we not, then, nicely examine the ground on which we stand in relation to our brethren of the South, and ascertain to a fraction its true position, ere we permit ourselves to be seduced into the terrible vortex of civil strife?

Let us seriously ask ourselves, who commenced the measures or line of conduct that has produced the fearful estrangement of the two great divisions of our Union? For on him who applies the *first* spark, mainly rests the responsibility of the subsequent conflagration. How came the question of negro slavery to be involved with our national politics? How came it to be made a political question at all? Is it necessary that it should have ever been so treated?—Or does it follow, because slavery was mostly located in the Southern States, that the people of those States should *necessarily* advocate or desire its extension? When we reflect that Virginia, the largest and at that time the most populous State in the Union, ceded of her own accord, most of the crown lands embraced within her charter limits, to the general government in trust, to be disposed of, and the proceeds divided among the individual confederated States pro rata, as they had contributed to the expenses of the war, and quietly acquiesced in the provisions of the ordinance of 1787, for its government, it really would not seem that Virginians were at that period very desirous of extending the peculiar institution! When, again, the same State, in conjunction with Maryland, ceded the District of Columbia to the national government, without requiring any guarantee that slavery should be retained therein, at least so long as it should continue to exist in the two States from which it was taken, it certainly does not look as if either of these States had any serious apprehension that the question of negro slavery was destined to assume a sectional character of so rabid a type as to imperil the Union!

What, then, let us ask, has caused it to assume this aspect? Is there anything in the system, itself, abstractedly, that leads us to practice it, to wish for its extension? On the contrary, if assured that the

question would be left undisturbed in the national councils of the Union, is it not apparent that the people of most of the Southern States, would consider that their interests would be promoted by its being confined within a limited territory, rather than in its constant extension? Were not the cotton and rice planters of South Carolina and Georgia aware of the fact, that by transplanting the institution on the rich soil of the Mississippi, where twice the products can be produced with the same amount of labor, that their profits at home, would be lessened?

Virginia, it is true, might have been disposed to favor its extension, on the ground of opening a wider market for its surplus slaves! But can we suppose that the influence of that one State, would have been sufficient to have directed the policy of all of the other slave States, especially when we consider that most of them are purchasers rather than sellers of negro slaves!

Such a procedure would be tantamount to, or very much the same, as if all the cotton and woolen manufacturers of New England, should unite their endeavors to extend their peculiar business, throughout every Northern and Western State, merely because it would open for the makers of the machinery they use, and are obliged to purchase periodically, a more extensive market for the products of their shops, and thus enable them to exact higher prices from the manufacturers at home! Can we suppose that under any ordinary circumstances these manufacturers of cotton and wool, could be induced to adopt so suicidal a course? A course that would compel them not only to pay a higher price for the machinery they themselves use, but by the well-established laws of trade, add to the cost of the raw material, at the same time that the price of the manufactured article would be lessened! How absurd to suppose that thrifty, shrewd men, governed generally, *too generally*, by their individual interests, should thus act! And yet are not the two cases stated very much the same in their character and effects? Does not the extension of negro slavery, cause the products of slave labor to be lessened in price? Does it not by the fixed laws of trade, enhance the cost of the labor, and lessen that of its product? And are the slave-selling planters of Virginia, of more relative importance, or their influences greater in comparison with the people of all of the other slave States, than is that of the machine makers, when compared with all other manufacturers?

But yet as preposterous as appears the supposition, that these manufacturers

should thus unite in laboring to extend a system that would so clearly militate against their own interests, has not the time been in this country, when they felt themselves constrained to pursue such a course? This is true. And why was it? Simply because the manufacturers saw not only the profits of their business in jeopardy, but likewise the whole capital they had invested in it! The basis upon which they deemed it rested, had become a *political* question, and a powerful party had arrayed itself in hostility to all *protective tariffs*. Then it was that the lesser interest was forced to give place to the greater. When all was in danger, the manufacturer was willing to sacrifice a part, that he might retain the remainder. Then it was that he sought with all his might to induce others at the North, South, East and West, to engage in the business of manufacturing wool, cotton, iron, and other articles, that private interest might stimulate public action, and thus save all engaged in the pursuit, from common ruin.

Well the time came when the fierce political contest, in relation to a protective tariff was at an end, and with it vanished all desire on the part of the manufacturers to impart a knowledge of their business to others, or to incite them to invest capital in the calling; and they, one and all, became as quiet on the subject as "sucking doves," and so remain.

In like manner is not the question of negro slavery now undergoing a similar process? For many years after the formation of this Union, the right to keep negro slaves was no more questioned, than was the right to manufacture woolen or cotton cloth.—No excitement was caused by the practice, either socially or politically, either in our National legislature or elsewhere, excepting so far as it was agitated and acted upon, by States in their separate capacity and in relation to its bearings on themselves alone, individually; and it was only when the people of the Southern section of the Union became imbued with a belief, that the institution of negro slavery was in danger, from an outside pressure, that they began to unite politically, for the defence of what they deemed their constitutional rights.

As the manufacturers of the Northern States, when menaced by the action of Congress, sought to create a bond of union, by diffusing a common interest as widely as possible, sufficiently strong to control the national will, for the sake of preserving their cherished institution of manufacturing, from destruction, even at the cost of sharing a part of its profits, with the people of other States of the Union; so in like



manner, have the slaveholders of the South, sought to create a bond of union, by the wider diffusion of negro slavery, sufficiently strong to control the action of the national government, for the sake of preserving *their* cherished institution, even at the cost of sharing a part of its profits with the people of other States of the Union.

I know that it will be said that the institution of negro slavery is not in danger by any action of the Northern will. But is this material to the issue? If the South really believe *it is*, the effect will be all one, whether it is so or not; and their action would be the same.

We, many of us, remember during the seasons of *panic* created by the government's interference in the banking and commercial concerns of the nation, how much was said by our great statesmen in Congress, and by our most experienced merchants, bankers, and financiers, in our public journals, and in our streets, about the "timidity" of property; and how we were told that a breath of apprehension would disturb its equilibrium, and the bare look of hostility from a quarter sufficiently powerful to work it injury, might of itself bring ruin on whole communities! And never was anything said more true.

And do we not also remember, how, when Webster, Clay, and the host of other great men, who at that day, opposed the reckless measures of the honest meaning tyrant, who then occupied the Presidential chair, how the glowing pictures that they drew of the ruin and desolation that awaited the commercial, manufacturing, and monetary interests of the country, were constantly met by the supporters of the administration with a flat denial of their truth, and with a positive disavowal of any intention on the part of the administration, to injure the business of individuals in any way! And do we not too well remember what little effect their disavowal produced, towards quieting the apprehensions of the business community! And how people used to congregate in crowds in every city; how merchants, and bankers, and manufacturers, used to send delegation upon delegation, to Washington, to remonstrate with Jackson, and to intercede with him to cease from tampering with the monetary interests of the country? And do we not remember how the wilful and courtly old gentleman, used to escort these committees to the door of his palace, and how he was wont to observe to them, as he politely edged them into the street, "go home gentlemen and make your selves easy, John Horne and I will take care of your business." But did this assur-

ance pacify them? Did it in fact save the commercial and monetary interests of the country from eventual ruin? We all know the desolating events that followed, and these went to prove very conclusively, that experienced poultryers *ought to*, and always will consider eggs in jeopardy, when they perceive jackasses gambolling amongst hen's nests, let the tribe bray ever so loudly about their harmless intentions.

And can we then blame the South for entertaining apprehensions, that the overthrow of the institution of negro slavery not only in the territories, but in the States of this Union, is meditated by a strong political party at the North? Are we not in fact, impressed with such a belief ourselves!—And do we not feel that this party is daily growing stronger and stronger, and that by the intemperate acts and publications of the individuals composing it, it is fearfully widening the sectional breach that so unhappily exists? Have we not good reason to suppose that there are at present hundreds, yea, thousands, of men at the North who really desire to see this gulf widened rather than closed, even to the extremity of civil war? All *must* know this to be true although most will probably say that the South have nothing to fear from the influence of such men, and that the prevailing sentiment of the North is decidedly opposed to any interference with the institution of slavery, in the States where it already exists. But are the people of the South in a position to enable them to feel sure of this? Men's apprehensions are generally more or less quickened, not so much by the magnitude of danger, as by the importance of the interests menaced. Men who could behold with composure the fall of a distant mountain, might feel their minds shaken with alarm at the bare trembling of the mole hill, at the base of which their families dwell!

In the preservation of the institution of negro slavery as it now exists, (for the present, at least,) the people of the South feel that their all depends. By a forcible disruption of the ties that now subsist between master and slave, the former feels, and *keenly feels*, that not only his property is at stake, but the honor and lives of his family. Can we then blame the people of the South, for over estimating the dangers that menace them?

The minds of men may in some respects be appropriately compared to the waters of a lake. Let these be calm and unruffled, and every object will be reflected from its bosom, in harmony with itself: but let these be agitated by the wind or other cau-



ses, and the fairest objects will present on its heaving surface, nothing but frightful distortions. So when the minds of men are calm and composed, objects present themselves to their understanding in their true forms; but let them be disturbed and agitated, and the most harmless objects, sometimes convey to their understandings the most hideous impressions.

Thus the constant harping of the abolitionists of the North, first slightly disturbed the equanimity of the South. As the influence of the one increased, so did the alarm of the other. For the *real* purpose or under plea of protecting their institutions, the South began to adopt a more stringent line of policy and in some instances to pass and enforce irritating and unconstitutional laws. This course added numbers to the ranks of the abolition party at the North. Mutual recrimination followed. The breeze became a gale. The gale has now swelled into a tempest, under the influence of which the mind of the whole nation seems lashed into fury, and stereotyped with distorted views. In the mean time our ship of State lies almost helpless on the billows: with no longer a Washington or even a Jackson at the helm, her officers disorganized and madly contending, her distracted crew seduced and bewildered by the "insidious wiles" of native demagogues and foreign traitors, with, alas, no longer a Clay on board to raise his trumpet voice above the tumult of the storm, and pipe all hands to duty. What! what! may it well be asked under such circumstances is to save our Union from destruction.

Any American of ordinary capacity, who will direct his attention earnestly to the study of the Constitution of the United States, is as competent of comprehending its true meaning, as is the most learned lawyer, perhaps more so; for the profession of a lawyer, necessarily introduces him to a line of study, that brings his mind in contact with authors of former times, whose sentiments and principles were generally better attuned to a monarchical or despotic order of things, than to such a form of government, as is instituted in the Constitution of the United States; and *strong* indeed must be that mind that can avoid receiving an impress from circumstances that constantly invest it. Besides, as the practice of law is conducted at this day, the object of too many members of the bar seems, not so much to be, the establishment of what is right, as the accomplishment of victory whether the side they advocate, morally speaking, be right, or wrong. This leads them to place the law as it is called, let it come from what source it will, in the place of conscience, and to feel justified in torturing its plainest words into all manner of meanings, and subtleties, that the exigencies of their client's case

may seemingly demand. Sheltering themselves under Falstaff's broad maxim, "*It is my vocation, Hal!*," they thus by long practice in the same line induce a phase of mind, and habit of thinking, that leads them to examine the plainest written instruments, in the same light that Jesuit priests examine the Gospel of Christ, and like these emissaries of Satan, pore over the ponderous volumes of the *fathers* of their profession, not so much with a view to arrive at the truth, as for the purpose of obtaining precedents to establish wire drawn subtleties to meet their dishonest purposes, that go to subvert rather than elucidate the meaning of the text.

I do not mean these remarks to apply to the whole profession indiscriminately, for I well know that there are many lawyers whose lives and practises in point of honor and purity, will compare favorably with the foremost of the earth, but such I believe will bear witness to the truth of my remarks, when applied to far too many of the profession.

It is true, that the study of the debates, that transpired in the Convention that framed the articles of the Constitution of the United States, may aid in arriving at correct opinions in regard to their import to a certain extent, if properly considered, and not too much relied upon; but then unless thoroughly studied and properly appreciated, they may mislead the mind as well as direct it; and we should remember that it was the people of the United States, in their primary assemblies, who passed upon and established the Constitution, *and not its framers*, and that neither these, nor the members of the State Conventions, to whom the people delegated their authority, were probably materially guided in their decision, by the debates that occurred in the National Convention, but by their *own* understanding of the text of the instrument. And who, let me ask, is better calculated to appreciate the peculiar phase of thought and expression of their ancestors, than the people themselves?

The Constitution presumes every *primary* officer, whether of the general, or State Government, to be his own exponent of any disputed passage in its provisions, unless it has been decided upon by the Supreme Court; otherwise he could not conscientiously fulfil his oath of office. But when such a decision is declared, *then*, indeed, it becomes obligatory on each and all of these officers, and on every citizen of the United States, to conform to the meaning as explained by that tribunal.

The Supreme Court is *ordained and established*, by the people of the United States, the sole exponent in the last resort, of all cases arising in law, or equity, under the Constitution. It follows, that when a decision has been once recorded by that Court, involving a Constitutional principle,—that such a decision becomes as binding as is the clause itself, of the Constitution so explained. It becomes, in fact, a part of the Constitution, which every officer or legislator of the United States, and of the sep-

arate States, from the President, and Governors, downward, solemnly bind themselves by their oaths of office to support.

In regard to construing the meaning of any article of the Constitution, the Supreme Court of the United States, stands as "*King of Kings and Lord of Lords.*" From its judicial interpretation there is no appeal. Like the laws of the Medes and Persians, it "changeth not."—Right or wrong, there it must stand, the Supreme law of the land, until it is declared null and void by the suffrages of the whole people of the United States, agreeably to the provisions set forth in the Constitution itself. So long as the judges of the Supreme Court keep their ermine of office pure and unspotted, neither Congress, nor any other earthly constituted authority can legally come between them and the discharge of their official duties.

The Supreme Court of the United States, constitutes the keystone of the arch, on which rests the glorious fabric of our Union. Strike that from under and irreparable confusion, and anarchy in every department would quickly follow. How essential then, that none but the purest, and most able men, should be placed on its august bench. And how Providential does it seem, that for nearly the half of a century, from almost the first of its establishment, that so pure a character as John Marshall, was permitted to preside over its deliberations, and thus give the sanction of a name, to a list of decisions and precedents, embracing probably nearly every important question, that can arise under the Constitution, that stands second to none in the list of earth's worthies, whether its bearer be considered in the light of a Jurist or a man.

There were doubtless many reasons besides those I have before alluded to, that operated on the minds of the members of the convention who framed the Constitution, and on those of the people who ratified it, for their not including in its articles any provision for the acquirement, and government of territory. As has been before stated, one of the greatest objections brought against the Union of the old thirteen States was the great extent of territory, already embraced within their limits. There were many advocates for constituting two separate nations out of the Confederacy, and even three were contended for by some.

So hard was the task to perform that was devolved on the convention for framing the articles of the Constitution that it is recorded by Marshall in his life of Washington, that at several periods, that assembly was upon the point of breaking up without accomplishing anything. And when its labors were perfected, and the Constitution was submitted to the people of the respective States for adoption, it barely survived the ordeal. "It was adopted (says Story) unanimously by Georgia, New Jersey and Delaware. It was supported by large majorities in Pennsylvania, Connecticut, Maryland and South Carolina. It was car-

ried in the other States by small majorities, and especially in Massachusetts, New York and Virginia, by little more than a preponderating vote." And we know that it was at first rejected altogether by North Carolina and Rhode Island. "In our endeavors (said Washington as recorded by Marshall,) to establish a new General government, the contest naturally considered, seems not to have been so much for *glory* as for *existence*. It was for a long time doubtful, whether we were to survive as an independent republic, or decline from our federal dignity into insignificant and withered fragments of empire."

Neither individuals, nor nations of men, when struggling for a bare "existence," are apt to think much about future acquisitions or conquests, under any circumstances. Much less then would the framers of the Constitution have been likely to raise the question of additional territory in that instrument and thus add greater force to the arguments based by opposers of the Union, on the ground, that the States already existing comprehended too much territory, *for one Union*. Experienced navigators can not rationally be supposed to be inclined to stipulate for additional freight, however tempting the inducement offered may be, at a moment, when all their thoughts and energies, are required to preserve their ship from sinking through excess of cargo already on board.

Just escaped barely with life, from a desperate and protracted struggle with an herculean foe,—impoverished,—weak and desponding,—holding as it were "the cup of trembling in their hands,"—and struggling for "existence," if through the clouds that at that period hung lowering over the future, there was a gifted, hopeful individual in that assembly of great men who framed the Constitution, whose prophetic vision enabled him to peer beyond the darkness of the hour, and to behold the blessings that were preparing in the hand of Providence soon to be showered upon the infant nation, he and his compeers were endeavoring to create, out of thirteen feeble and disjointed States; if I say such an improbable event as the future acquisition of new territory ever presented itself to the mind of one or more of those gifted men, during their deliberations, they were probably too discreet to give it utterance, but wisely considering, "that sufficient for the day is the evil thereof," postponed its consideration, until the necessity should require an amendment of the Constitution, to meet such an almost inconceivable and hardly to be supposed requirement.

The Constitutional convention was convened in Philadelphia, at the same time that the Confederate Congress was there sitting, that enacted the Ordinance of 1787 for the *temporary government* of the N. West territory. There can be but little doubt, that a free interchange of views and sentiments passed be-



tween the members of the two bodies; and although the "*compact*" which Congress at that time assumed to enter into with *itself* in the name of three other distinct parties (and one of these not yet in being) could have no binding force in law,—still as things then were, it is highly probable that the convention thought it most wise not to complicate the new form of government, by meddling with the arrangement, but leave it to be carried out or not as the people of the respective States might decide, as had been the case in regard to most other Ordinances, enacted by the Congress of the Confederate government, especially as any attempt to extend Federal jurisdiction over the territories at that moment, might place still another weapon than the one just hinted at in the hands of the opposers of the Constitutional form of government the convention was aiming to establish.

At that period there were many honest and strong minded men in the country who put forth all their energies in opposition to the proposed form of government, on the ground that it would be apt to encroach upon the sovereignty of the separate States, and finally absorb all power. "The advocates of this doctrine (says Story) predicted with confidence, that a government so organized would soon become corrupt and tyrannical and absorb the legislative, executive and judicial powers of the several States, and produce from their ruins, one consolidated government, which from the nature of things, would be an iron-handed despotism. Uniform experience (it was said) had demonstrated that a very extensive territory cannot be governed on the principles of freedom otherwise than a confederacy of republics, possessing all the powers of internal government, but united in the management of their general and foreign concerns! Indeed any scheme of a general government, however guarded, appeared to some minds (which possessed the public confidence) so entirely impracticable, by reason of the extensive territory of the United States, that they did not hesitate to declare their opinion, that it would be destructive to the civil liberty of the citizens."

When we reflect that at that period, at least one half of the area lying within the boundaries of the United States, was in the condition of disorganized territories, it will require no effort of the mind to conceive what a potent weapon for mischief, the framers of the Constitution would have placed in the hands of its opposers, by conferring on the General government a *positive* jurisdiction over these territories, at the same time it was invested with a *discretionary* power in regard to admitting them into the Union as States. There can be scarce a doubt but that such a procedure would have defeated the ratification of the Constitution altogether.

Besides this it was very important that the unappropriated land within these territories,

should be surrendered by the respective States<sup>s</sup> within whose chartered limits it lay, to the General government, for the purposes of revenue to be derived from its sale. Virginia, New York, and some other States (as before said) had already made large cessions of the kind,—but there were still vast tracts retained by the same, and other States, which it was of the utmost consequence to the public welfare, should be also conveyed to the General government. The extension of federal jurisdiction over these territories, would most likely have added another serious hindrance to their transfer to those already existing; and thereby caused great inconvenience to the General government, even if such a procedure should not altogether defeat its establishment.

Take for instance the case of North Carolina. This State we know did not ratify the Constitution until some time after the Constitutional government was organized.—Its territory extended from the Atlantic to the Mississippi. Thus for a period of twelve months after the assembling of the first Congress, under the Constitution, the "United States of America" was divided into *two* distinct parts; South Carolina and Georgia being separated from the remainder of the States, by a strip of land of an average width of more than an hundred miles, including North Carolina, and the territory then belonging thereto, now comprehended in the State of Tennessee.

This territory had not as yet been conveyed by North Carolina to the General government, nor was it until the early part of 1790, when it was ceded to the United States for the same purposes, and on nearly the same conditions, as was that lying to the north west of the Ohio by Virginia, with however the striking exception that instead of excluding slavery from the said territory as it was enacted in the Ordinance of '87, the territory parted with by North Carolina is ceded on the express condition, "That no regulation made or to be made (therein) by Congress, shall tend to emancipate slaves." And it is farther stipulated in the articles of cession "that the laws in force and use in the State of North Carolina, at the time of passing this act, shall be, and continue in full force in the territory hereby ceded, *until the same shall be repealed, or otherwise altered by the legislative authority of said territory.*"

Here it is made manifest that North Carolina, which has ever stood pre-eminent as a pattern republican State, was so jealous of the authority, or the usurpations of the Federal government,—notwithstanding the Constitution confers on it no civil jurisdiction over the people of the territories; that in making the cession it is not only stipulated that the law making power shall reside and be continued in the hands of the people of the ceded territory, but that the general government

in the exercise of their constitutional right to make "needful regulations" for the disposal of territory, shall make "no regulation" that "shall tend to emancipate slaves."

But it is unnecessary, it is even unsafe, to attempt to pry too closely into the motives that induced the framers of the Constitution, or the people who ratified it, to withhold from Congress the law making power over the people in the territories of the United States. It is enough that nothing in the plain meaning common sense construction of its text conveys any such power; a power that if intended to be conveyed at all was certainly of sufficient importance, to be definitely expressed and not left to be inferred by dubious implication.

To assert that the power is inherent in the General government, as a right of sovereignty in common with other nations of the earth, strikes at the very foundation of the principles, upon which our Union stands. For the management of its internal concerns, at least, the Federal government can claim no authority for its public acts from any precedent or source whatever, save from what is conferred in the Constitution of the United States, much less from the practices of the arbitrary and despotic kingdoms of the earth; the theory of whose government, instead of being based on the "inalienable rights" of the people, are mostly derived from the Devil and Priest-inculcated doctrine of the "divine right of kings."

If we seek for the primary cause, the first false *political* step that has opened a door for the entrance of our present difficulties and dangers, we may probably find it in the acquisition of the Territory of Louisiana, purchased of France in 1803.

I do not mean to be understood to say that our troubles have necessarily grown out of the acquisition of the territory itself, but that they have been greatly promoted by the *mode* of accomplishing it. Before making that purchase the Constitution of the United States should have been amended to meet the requisition. The question of slavery in the territories would most probably then have been brought before the people of the United States and settled on a Constitutional basis.

This is the course that should have been adopted, and this is the course that would have been pursued, had *Thomas Jefferson*, who then filled the Presidential chair, inherited the firmness of either of his predecessors in office. Had *Jefferson* adhered to his own convictions of duty, his signature would never have been affixed to the treaty by which Louisiana was acquired, until a new clause had been inserted in the Constitution authorizing such an act, and ratified by the people. But alas! although seeing, knowing, and avowing the *right*, that responsible public officer, was

nevertheless weak enough to suffer his mind to be swayed from its better judgment and adopt the *wrong*. He signed the treaty, protesting against its constitutionality almost at the same moment. The oath that great statesman had taken to support the Constitution of the United States was disregarded, principle was deferred to expediency, the constitution was trampled under foot by the highest officer of the nation, and we are now reaping the penalty of the transgression in as many threatening forms of evil as was ever poured from Pandora's box on any unfortunate people. False to his duty, his conscience and his oath, if *Thomas Jefferson* could be permitted again to be here and behold the consequences that have accrued to his country from that one rash act, well might he exclaim with *Cranmer*, "that unworthy hand," and with the martyr lament that it *too*, had not perished in the flames, ere it had affixed his name to the fatal document.

One false step naturally produces another and so on to the end of the chapter. Out of this territory so acquired the State of Louisiana was carved and admitted into the Union in 1811. Ten years more had not passed when the new State of Missouri created out of a part of the same territory, came knocking at the doors of Congress for admission into the Union on the same condition as the State of Louisiana had been admitted; viz. simply to support in all respects the Constitution of the United States.

But the boundaries of Missouri encroached upon the latitude of the North West territory, and it was thought expedient by northern members of Congress that slavery should be excluded from the new State. Many of us well remember how the Union was shaken as with an earthquake in the disposal of that question. The new State was finally admitted with all the sovereign rights enjoyed by other States of the Union. But at the same time by what is called the "Missouri Compromise" Congress unwisely attempted to substitute an act of its own, to fill a constitutional requirement, and to enact that Slavery should henceforth be excluded from all territories of the United States lying north of latitude 36 deg. 30 min.

We have seen how that the last Congress under the Confederation, had included in the ordinance of 1787 a *fiction* called a *compact*, by which slavery was to be forever excluded from the new States that were to be created out of the north west territory, and that this ordinance including the fictitious compact, had been re-enacted by the first Congress that assembled under the Constitution. Up to the time of the "Missouri Compromise," no attempt I believe from any quarter had ever



been made to disturb the conditions of this compact; neither was there ever any to disturb the conditions imposed on Congress by the treaty or compact which that body subsequently entered into with North Carolina, that slavery *should not be excluded* or interfered with by any act or regulation of Congress within the limits of the territory ceded to the United States out of which the State of Tennessee has since been formed. Neither have we any good reason to suppose that any attempt ever would have been made to disturb the conditions of the Missouri Compromise, were it not that circumstances that I have before alluded to, have caused the question of negro slavery to assume a political aspect of paramount importance, in the view of the people of the slave holding States.

However ill-founded may be their suspicions, there can be no question that the people of the slave holding states really believe that there exists at the North a large and increasing party, whose hostility to the institution of negro slavery is not intended to stop at the boundaries of the territories belonging to the Union, but that ultimately it contemplates invading the sovereignties of the respective States. In this aspect of things, the people of the slave holding States believe that the only means they have of securing their constitutional rights from invasion, is by maintaining an equality of representation with the non-slave holding States, in one branch of Congress at least.

Hence when in addition to the constantly increasing anti-slavery feeling at the North, the South could not be blind to the fact that the population of that section of the Union was also increasing in a vastly greater ratio than was that of their own; and again, that a large proportion of the territories of the United States that must soon be apportioned and received as States into the Union lie on the side of the parallel of 36 deg. 30 min from which slavery was to be excluded by law of Congress, it is highly probable that when southern statesmen contemplated these facts, that they were led to re-examine the character of the *Missouri Compromise* with the view of agitating its repeal. I know not however that there is any evidence of sufficient force to substantiate this point, or to prove that the bill introduced by Douglass to this effect, emanated from Southern (objective) influences. For one, I have always felt convinced, that from whatever quarter the measure may have ostensibly originated, it was in reality brought about by the "insidious wiles" of crafty Jesuits of foreign birth and allegiance, and was one of a series of "artifices" "covertly" concocted by that freedom hating fraternity at nearly the same period, having for

their object the distraction and division of the great American party, which had so suddenly arisen, and stood like a giant in the way of the "batteries" which the Romish Hierarchy has for some years past been "constantly and actively, though *covertly* and *insiduously*" directing against the "palladium of our political safety and prosperity" and *which* American party these deadliest foes of our country felt it a necessity to divide into sections and factions before they could succeed in their grand design of "alienating one portion of our country from the rest" and so "enfeeble the sacred ties that now bind together the various parts" as to enable them to involve the two sections of the Union in civil war and finally in irretrievable ruin. With this object in view, I have but little doubt that a *bird of the air* was mysteriously commissioned to whisper into the ear of Douglass that it required but a union of the slave holders and the Romish Hierarchy to elect at any time a President of the United States, and with the same *delphic* voice insinuate to the ambitious demagogue how he himself might secure the tempting prize.

The correctness of this view subsequent events has seemed to confirm—especially the laudation and panygeric that has been heaped upon his Jesuit friends, since the passage of the Nebraska bill, by Douglass in some of his public addresses.

But some of our American demagogues it would seem have yet to learn the fact, that in no contingency whatever, is it possible that a brother of "the Society of Jesus," can approach or deal with one not of their corporation in good faith.

Should the present occupant of the Presidential chair remain docile in the keeping of the Jesuit "power behind their winking Madonna" and continue to truckle to the will of those ecclesiastical directors of his conscience, as submissively as he has heretofore done, it is highly probable that such representations of his fidelity will be forwarded to the General of the Jesuit College at Rome as will insure his being selected in that high quarter as the candidate of the Church for the Presidency of the United States, notwithstanding any *intangible* assurances that Douglass may fancy he has received from the same source. Should this be the case the nomination of Franklin Pierce will most assuredly be endorsed by the Democratic party, for the reason that the leaders of that party are at present irretrievably committed to the domination of their Jesuit colleagues, and must so remain to secure the co-operation of the Romish Hierarchy in the next election, on which they know full well that their only chance of success depends.



Again, should the American party continue to permit its deadliest foes to direct its measures and distract its councils, its southern wing, through the pressure of the more immediate danger that seems to threaten the domestic institutions of the South, will in all probability, be driven to cast its vote with the democrats for the Jesuit's candidate. The consolidated vote of the fifteen slaveholding States, joined to that of the States at the North and West, in which the votes of the slaves of the Roman Hierarchy can be used to turn the scale will elect a President.

Then when that important station is occupied by an automaton, that is completely enshrouded in a mystical net of Jesuit weaving, we may look out for the commencement in earnest of the shedding of blood in civil strife, but not before, with their consent—mark my word; for these accomplished conspirators and assassins, the Jesuits, know full well the importance of first making themselves entire masters of the Commander-in-chief of the army and navy of the United States, to the thorough fulfilment of their plans.

If I am not much mistaken, the event will prove that although the Jesuit conspirators will make use of the slave holding States as stepping stones to power, they will, nevertheless not even accord to them the poor *Cyclopean* privilege of being the last victim devoured. On the contrary, their aim will probably be to promote the utter ruin of the southern portion of the Union first, and then through the tens of thousands of ways that through the *confessional* they can reach the domestic hearth of families, and by means of the public press, a great proportion of which is already corrupted and working in their harness, they will create innumerable factions at the North, through the excesses of which, and the innumerable outrages and assassinations that they themselves will cause to be committed by their secret tools, a "reign of terror" will be established, and in the prophetic, warning language of Washington, as expressed in his farewell address already repeatedly quoted from by "the alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissensions, which in different ages and countries has perpetrated the most horrid enormities," and by "the disorders and miseries that result, gradually incline the minds of men to seek security and repose in the absolute power of an individual," and "sooner or later" thus enable "the chief of some prevailing faction (the Romish most probably) more able or more fortunate than his competitors," to "turn this disposition to the purposes of his own elevation on the ruins of public liberty" and by a *coup d'état* such as under the direction of the Jesuit priesthood

elevated Louis Napoleon to the throne of France, place a crown on the head of a Jesuit directed Emperor of North America, and thus not only stamp the farewell warning of Washington with the impress of inspiration,—but also verify the clearly expressed prediction of his most cherished friend, Lafayette, so often repeated and so earnestly dwelt upon by him when conversing with Americans, "IF THE LIBERTIES OF AMERICA ARE EVER DESTROYED IT WILL BE BY ROMISH PRIESTS!"

I am well aware that many readers will treat these ill expressed forebodings, as little better than the ravings of a maniac, but nevertheless I am constrained to place them on record, from a conviction that long and earnest study and observation, has impressed on my mind, that, as improbable as it may seem to most readers, something very similar to what is prognosticated will be the fate of our country UNLESS, not only a *majority*, but a *LARGE majority* of Native Americans, both North and South will consent to forego their senseless and fruitless animosity on the subject of slavery and unite in the cause of their common country and of mankind, and firmly resolve that neither the "batteries nor machinations of either internal or external enemies, however covertly and insiduously directed," shall prevail with their consent to "alienate any portion of our country from the rest, or enfeeble the sacred ties that now bind together the various parts."

More particularly would I plead with my fellow citizens of my native State, that they should one and all arise as one man, and withhold from mischief as in a *grip* of iron, the traitors, demagogues, fanatics and misguided men, who are laboring to infuse into our minds the spirit of discord, and under the color of freeing a portion of the people of this Union from an unfortunate bondage, that we all lament, but which we cannot constitutionally prevent, are urging us to the adoption of violent and unchristian measures that can scarcely fail in the end if persevered in, to subject us all to a bondage even more galling to the spirits of American freeman than is that of negro slavery to the African race. Let us reflect that the very houses in which some of us reside were reared by our forefathers with the price of Africa's children torn ruthlessly from their country and their homes, and that if the roof trees of some of these were gifted with a tongue to speak they "could a tale unfold" of murders and outrages enacted on our fellow men "whose lightest word would harrow up the soul" and *pale* the foulest wrongs that are now inflicted on the hapless race in any State of this Union.

"If ye seek to shake off your allegiance to Rome, ye Germans! (and why not ye Ameri-

cans, as well?) WE WILL BRING THINGS TO SUCH A PASS, *that ye shall unsheath the sword of extermination against each other, and perish in your own blood!*" The POPE'S NUNCIO to the Germans.—*D'Aubigne*.

Whether the South is, or *is not* responsible for the origin of the Nebraska and Kansas bill, it is certain that it could not have been caused without the aid of Northern votes, and on these should the responsibility of its passage rest; for how can we reasonably expect that Southern members should vote against a bill that affirmed a constitutional dogma, that *they* had always contended for, when it was introduced into Congress by a Northern man, and sustained by Northern votes.

There were probably as many Northern members of Congress who voted for the passage of the Nebraska bill as there were who voted for the Missouri compromise. Both bills were mainly carried by Southern votes; with members of that section one was regarded as a question of expediency, the other of principle. Having asserted this principle in the passage of the Nebraska bill the South seemed content, and disposed to permit things to take their natural course. Had the North prudently adhered to the same line of conduct, all might yet have been well. In that case emigration to Kansas, like true "charity," would not have been "strained." A community would have there established themselves, unquestionably mostly from the Northern states, and quickly formed themselves into a body politic, as did the little communities that first emigrated to this country from Europe. Like these, too, if left undisturbed by the general government, they would have instituted all laws and regulations necessary and proper for the government of their infant State. Over these neither the respective State Governments, nor the Federal Government ought to exercise any control, so long as they did not hinder the latter in "disposing" of the territory, or LAND, (as the term was formerly used to imply) belonging to the United States, nor trespass on the same.

There is nothing in the Constitution of the United States, that goes to prohibit any class of persons, whatever, from purchasing land of the Government. When once put in market, this is open to all who have money to buy with, whether Christian or Jew,—whether Turk or Pagan, slaveholder or non-slaveholder. When a purchaser presents himself at the land office, he is not to be queried with whether he has one wife, or four, whether he intends to improve his new domain with slaves, or free labor, whether he worships God, or Mammon;—but simply whether he has the

money to buy with. The disposal of all other questions is left with the settlers themselves: and whatever a majority of these ordain in respect to any of those things, the minority must acquiesce in.

Such were the germs of the thirteen little colonial governments, that eventually expanded into states, and out of which our Union was formed;—and it is precisely such states as these, that the Constitution contemplates shall be added to this Union; states in which the people themselves, "DO ORDAIN AND ESTABLISH" their own laws. That is the great principle that Americans contended for in the war of the revolution, and that is the great principle that is most prominently set forth in the preamble of the Constitution, and recognized in every sentence that follows it.

Whatever person establishes himself on territory or land purchased of the United States, must depend solely on the laws he finds there already *instituted*, or which he may himself, assist in *ordaining* after his arrival, for the protection of all goods, chattels, and things he may claim as his own, whether these be houses or merchandise, men, or animals. For on the broad and distinct principle, which the Declaration of our Independence emphatically puts forth, and which is recognized in the preamble to the Constitution, it is the inalienable right of the people to institute their own government, "in such form as to them shall seem most likely to effect their safety and happiness."

Over the people of these territories, the United States has no constitutional right to exercise any jurisdiction whatever, neither has it any right to require of them the surrender of fugitives from justice, or from service, except by especial treaty, as in the case of foreign nations. As before said, it is only where the people of the territory apply to be admitted into the Union as a State, and are received, that the laws of the United States can be legally extended over them.

Neither is the General Government authorized to compel the people of a territory to apply for admission as a State. The Constitution says that Congress *may* admit new states, it does not say that it *shall*. By parity of reasoning then, a State *may* apply for admission, but nothing in the Constitution either asserts or implies that it *shall*. The idea of coercion is alike foreign to the fundamental principles on which the government of the United States is founded, and to the views entertained on the subject by the framers of the Constitution and of our forefathers.

As no coercion to induce states formed out of the territory of the United States is contemplated in the Constitution, so neither is it needed. Whoever will study minutely the



progress of events in this favored land, cannot fail to perceive that they have ever been controlled, and guided in one direction, doubtless for some good purpose, by the spirit of unerring wisdom. The great wave of emigration that sets to our shores, bearing on its bosom the crudities of Europe, finds its level before it reaches the territories. The hardy pioneers of the wilderness, are ever of the Yankee breed, with whom the formation of a government based on the principles of the *Stars and Stripes* is an insurmountable instinct of nature. Drop a dozen of such men in the midst of a howling wilderness, and they will scarcely feel themselves on their feet, before we shall find them assembled in *town meeting*, and engaged in digesting a plan of government. And who does not know, that such men are better qualified to institute a practical form of government, based upon the "inalienable rights of man," not only for the government of a score of individuals, but of as many millions, than are all the learned savans of Europe. To attempt to force a state so formed, into the Union, would be like attempting to drive by violence a man into his own house, or to attempt to exclude it would be tantamount to compelling him against his will, to stay outside of his own door. In either case he would be sure to rebel.

The attempt by Northern men, to prematurely force into Kansas a body of emigrants for the purpose of carrying into effect a "foregone political conclusion," is factious in its character, and utterly at variance with the sentiments of compromise, and conciliation, that held sway in the breasts of Washington and the other great men who with him framed the articles of the Constitution. Whilst no explanation or apology whatever can atone for the atrocious invasion of that territory by the border ruffians of the State of Missouri, it is too evident that such an event is but a legitimate consequence of the course pursued by the class of men at the North referred to, who seem gifted by nature with "*all manner of sense except common sense.*" A glance at almost any Northern journal, will reveal to us the fact, that the conductors of the "Emigrant Aid Society" in all their movements, seem to have regarded the slave-holding States, in the light of a lethargic monster, on whose very back they might heap coals of fire with impunity. Neither did the people of the South manifest much disposition to oppose the Northern movement alluded to, until they had been goaded to madness, by a constant, ever flowing stream of abuse, poured upon their heads by the Northern press and by the reiterated boasts that were made in its widely circulated columns, that the plans of

the North in regard to excluding slavery from Kansas would certainly succeed, in spite of all that could be done by the South to prevent it. Thus insulted, taunted and as it were spit upon, the "*lethargic monster*" at length aroused itself, and proved to these Northern factionists, that their game was one that *two* could play it.

And where are we now? Each party is fairly on its feet, and mustering its forces, to decide the question in the battle-field: while a weak and inefficient President of the Nation, whose duty it was, and still is, to nip the threatened collision in its bud, by shielding as he is constitutionally bound to do, the people of Kansas from the Missouri and other hostile invasions, lies bound in *mysterious* chains, unable or unwilling to lift his hand or his voice, to stay the *dogs of war*, that such Jesuit and JEJUITESS directed traitors as Greeley are straining every nerve to congregate in martial array, and to precipitate on Kansas with the avowed object of drenching its soil with American blood.

It is such traitors as this same Horace Greeley, and their Jesuit colleagues, and directors, that the American party should watch with unslumbering eyes, and make to feel that *they* will be held responsible for every drop of blood that may flow in the approaching combat they are laboring to excite between the North and the South. (Let but the Jesuit priesthood of Rome, and their tools, be assured, of this, and *there will be no civil war.*) Step by step the measures have been agitated, conducted, and perfected, by these emissaries of Satan, that have led (and designedly led) to the "necessity" that they now tell us exists, for the North to rise in mass, and defend the rights of the people of Kansas by force of arms.

Well, if such a necessity really does exist, why do not these Jesuits, Editors, and demagogues, these *Hughes*, Greeleys, and Searwads, who so clearly appreciate the *necessity*, form themselves at once into a legion, and under the banner of their *sulphuric* master, rush to the rescue? Why all this delay? Is their blood purer than that of other men? Are their lives more dear to them, or more valuable to the nation? On the contrary, in my opinion, there is no class in the community whose absence would cause so little inconvenience! Let the traitorous band then be organized at once and march to Kansas! Let the two rabid hosts of Anti and Pro-slavery men who are now mutually urging the nation to war, there decide the great question of freedom or slavery on the battle field, between themselves, and if the "necessity" requires no more blood to flow than what courses through their traitorous veins, I think that



the nation at large will have but little cause to mourn.

If, as I have before asserted, the Federal government cannot, constitutionally exercise any civil jurisdiction over the people of the territories, then neither the act of Congress approved Feb. 12, 1793, entitled "*an act respecting fugitives from justice, and persons escaping from the service of their masters,*" nor the act of Congress approved Sept. 18, 1850 supplemental thereto, can be constitutionally carried into effect within the limits of any of the said territories of the United States. Neither can the people of the territories avail themselves of its provisions to recover fugitives from service, when these have taken refuge in any of the States of the Union.—The only remedy in both cases is by special treaty.

In fact, I cannot conceive how it is possible to reconcile either of these public acts with the Constitution of the United States, although I grant that their practical operation may be the same so far as regards the States, as that contemplated in that instrument.

The section of the Constitution which compels the surrender of fugitive slaves, partakes of the character of a compact, in which each respective State stipulates to surrender on certain conditions fugitives from justice and also fugitives from service; upon demand in the first instance, of the "Executive authority of the State," from whence the fugitive has fled, and in the other, upon "claim of the party to whom such service or labor may be due." And it would seem plain to an ordinary understanding, that the general Government can have no Constitutional right to interfere in one of these cases more than in the other, until a State shall refuse to comply with the "demand" or "claim" as the case may be. Then it is true, but not until then, the federal government may rightfully interpose its authority, and compel such delinquent State to obey a provision of the Constitution which its every officer and legislator has sworn to support.

All thinking men must admit, I believe, that the "fugitive slave act" (so called) has no practical effect for good. For one, from its passage, I have felt convinced that it could never to any great extent be enforced in the northern States. However constitutional may be its provisions, there is something, not only in the northern mind, but in the minds of intelligent men generally, that will forever war with some of its requirements however just may be its objects.

God has implanted in the breast of every human being an instinct or a principle, that ever disposes a man who is a man to take the part of a fellow creature who appeals to him

for protection. And preserve me, I say, from coming in contact with that man in whose bosom this principle is dead. He is a brute, yea, lower than a brute, for even brutes acknowledge it.

I would not under some circumstances, aid even the owner of a noble brute in recovering his property. Nay more, I believe that most men would at times find it difficult to resist even the mute appeals of the meanest brutes. Whilst engaged in warm pursuit of the very vermin of the field, when I have beheld a poor creature, after exhausting every other resource that seemed to offer a chance of escape from the pursuing dogs, at length, with quivering eye, and panting heart, and trembling limb, turn to me for protection, I have respected the instinct that prompted the appeal, and let the little plunderer live.

Whilst I would not meanly attempt to shelter myself under the protection of law, as a shield from the consequences of its violation, I confess that no human law could compel me to aid in arresting and returning to servitude, a fellow creature against whom no offence was alleged save a desire of liberty. The law may be satisfied by willingly undergoing its penalty, as fully as by compliance. In such a case I should choose the former. I would not rebel, I would consent to suffer. Both the law, and my own conscience would then be satisfied, and the public peace would not be disturbed.

I do not believe that there is one intelligent slaveholder in ten throughout the whole southern States, who would (unless officially) personally aid in returning a fugitive slave to his master, against the slave's consent. I know that Henry Clay, the originator of the "Fugitive Slave Act" would not, for he assured me so himself, whilst that act was pending in Congress.

I believe that Henry Clay was as great a statesman and as true a patriot, as ever drew breath in America. I believe that under the trying circumstances, he honestly believed that the "Fugitive Slave Act" was the best practical measure that Congress could adopt to allay the agitation then existing. But if even the originator—the father (as it were) of the law could not himself comply with some of its provisions, how is it to be expected that other men can? The thing is impossible; the people of the South should spare us in this.

There is a beautiful idea embodied in the sentence the Athenians passed upon the man who had taken the life of a dove that had flown to him for protection, when pursued by a hawk. "Let him be put to death" said that capricious, but discerning people, "for the man who is capable of committing such an act

cannot possibly be a good citizen of the State."

Even so I say, that the man who can deliberately betray to his pursuers a poor wretch fleeing not from the penalty due to crime, but from servitude merely, under the promptings of that love of liberty that is implanted in the nature of every creature that breathes, cannot possibly be a good citizen of the State. Such an act is strictly forbidden, even in the code of laws, the first instituted on record, and which was established and ordained for the guidance and government of a people who were but just emerging from a state of barbarism. "Thou shalt not deliver unto his master the servant which is escaped from his master unto thee."—Deut. 23c: 15v.

For one, I should rejoice to see a law enacted by Congress, appropriating an unlimited amount of money, yea to the amount of hundreds of millions if necessary, for the purpose of reimbursing to a certain extent the owners of fugitive slaves. If upon satisfactory evidence of ownership, two-thirds of the real value of such fugitives were to be paid to the claimant out of the United States treasury, and the slave then be allowed to go free, thousands of fugitives from servitude would be *reclaimed* where there is now one. Every honest man at the North, would then be willing to assist the people of the South in recovering their property; and thus the pecuniary interests of that section of the Union would be greatly promoted by the same law that would promote the peace of the whole country.

An institution like negro slavery, that has for centuries been interweaving its fibers deep into the heart of our social and political fabric, is not to be uprooted in a day. Neither can it be abolished by convulsive action, without danger of entailing far greater evils than would be removed. The people of the North understand but little of the relations that exist between master and slave. They are illy qualified to act on the subject. The management of the whole question should be left with the people where it exists, and with whom the Constitution of the United States has left it.

If the North would in good faith, honestly abstain from interfering in the matter, a new order of things would quickly be exhibited at the South. Public sentiment there, would then soon again assume a healthy aspect, and no longer be unnaturally excited and irritated into blindness. Thousands and tens of thousands of men, would then and there start up as advocates for negro freedom, whom circumstances now oblige to remain silent or who feel compelled to join in pro slavery measures as a means of protection against the ill-judged and *impertinent* action of the North. Then a period might quickly approach, when the aid of the general government could harmo-

niously and beneficially be exerted, to favor the gradual extinction of the system, by aiding States and individuals to colonize with their own consent, colored persons already free, or who may become so, in Africa. I know that this was the plan looked forward to by Mr. Clay, who never expected more of the "fugitive slave act" than that it should allay public excitement for a season, and until more radical action could be taken by Congress on the subject. This was the plan which lay nearest the heart of that great statesman, as a means of assisting to remove slavery from the States of this Union. So much importance did Mr. Clay attach to this line of policy, that he seriously declared but a few months previous to his death, his deliberate intention to *close* his political life, by a last effort to obtain the passage of an act by Congress for the establishment of a regular communication between the United States and Liberia, coupled with an appropriation of public money sufficient to insure to every free person of color who emigrated hence to that Republic, a suitable provision for the object. But alas, the stern messenger of death forbade the accomplishment of the act.

*Hod-carriers* may readily demolish a structure that skillful architects only can rebuild. It would be well for the rabid opponents of negro slavery to reflect upon the evils that may flow from to sudden an overthrow of that institution, as well as upon those already existing in consequence of its continuance.—What, let them ask, is to be the position the colored man is to occupy in this Union in such an event? Is it possible that after a forcible disruption, of the ties of master and slave, the two races should blend harmoniously at the South? Or are we sure that the people of the North may not feel the presence of the latter amongst them too burdensome to be borne.

If official returns are to be relied upon, such are the hardships and privations already entailed upon the blacks at the North, that it requires a constant stream of emigration from the South, to keep the race from becoming extinct in our section of the Union.

Instead then, of moving heaven and earth, as it were, in the cause of negro emancipation, would it not be well, as I have before hinted, that abolition philanthropists at the North should first do something for the cause of humanity a little nearer home. Let them begin by instituting a thorough examination into the condition of such of the colored people as already exist among us, and endeavor to bring to light some of the hidden circumstances that cause so large a proportion of that race—when compared with other Americans—to be consigned to our prisons and houses of



correction, and that prevents it from fulfilling the great law of nature, to "increase and multiply."

When this labor is satisfactorily accomplished and effectual remedies applied, do not be in haste to resume operations abroad, but again examine the ground nearer home. If the spirit becomes restive in contemplation of the cruelties and hardships inflicted on the slave at the South, let its fury be expended on such objects, as the northern man who urges beyond his strength his overdriven or his overworked horse; or on him who occasionally blackens the eye of his wife, or knocks over his own child. Let the philanthropist reflect that such are the description of men who would, were their lot cast at the South, overwork and abuse, or when infuriated with passion or rum, perhaps maim or kill their slaves.

Again, when these *far looking* philanthropists, chance to see some young barbarian torturing flies, or robbing a poor bird of its young, or casting stones at a passing dog or cat,—let them reflect that of such untutored embryos, men are formed, who whether they exist at the North or the South, or in any region between the poles, will alike find helpless and unprotected objects, both of the human and brute species, on which to exercise their hellish cruelty.

Put your shoulders then to the wheel, O ye abolitionist philanthropists of the North,—labor resolutely for the removal of these abominations from amongst us. Do not slacken your efforts for fear that when this is accomplished nothing more will be left for you to do. But when these abuses are reformed and amended again cast your eyes around our own northern sphere, and you will find hundreds of other like deserving objects of your philanthropic labors. Visit the poor in their lowly abodes; relieve their present, and invent ways to enable them to provide for their future wants. Look into our prisons, our poor-houses, and our asylums for the distressed.—These last objects will alone afford food for your rampant benevolence for a score of years at least. I have had trifling experience in these matters, and speak not without knowledge; but if you doubt *my word*, receive at

least that of the present Governor of New York, who in his last message holds forth to the law-makers of that State the following language: "Nearly *one thousand* insane persons are now confined in the different county poor-houses of our State. In too many of these the afflicted languish wretchedly without the chance of a cure. In nearly all of them their treatment is simply *imprisonment*. Their helplessness and destructiveness make their confinement in most cases more *painful than that of criminals*."

Again I say, think of these things, and let alone for the present the "mote" that you perceive in the eye of the South, and cast out the "beam" that so obstructs the vision of our own. Labor earnestly, diligently, prayerfully, for the removal of the sins and abominations that stand crying for redress at our own doors. Then when all in this direction is accomplished—when our hands are made clean, and the "beam" is purged from our eye, we shall be endued with greater strength, and gifted with a clearer vision to distinguish, and to aid in the removal of more distant evils.

But if I do not greatly mistake, long before that period arrives, if in the meantime we cease from thwarting by our short-sighted and unchristian haste, the beneficent designs of Divine Providence, we shall discover that the painful probation that God has permitted to be meted out in our land to the colored race, like that which His most favored people were of old forced for *four hundred years* to undergo, is not without its object; but that as thro' the one dispensation a people were formed and instructed that have since stamped their Divine impress upon three-quarters of this globe—the other is yet destined to convey light and knowledge, through the experience acquired in perhaps a less period of bondage, to the remaining quarter of the globe; and that the little plant now just developing on the shores of Africa, will, under the fostering hand of America, through the blessing of Divine Providence, have grown into a tree, beneath the broad branches of which countless millions, protected by institutions formed on the model of our own, will repose in safety and happiness.

VAUCLUSE, R. I., 1 mo. 28, 1856.

[The matter contained in this pamphlet was first published in eleven numbers, periodically which may account for some of its abrupt transitions.]











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